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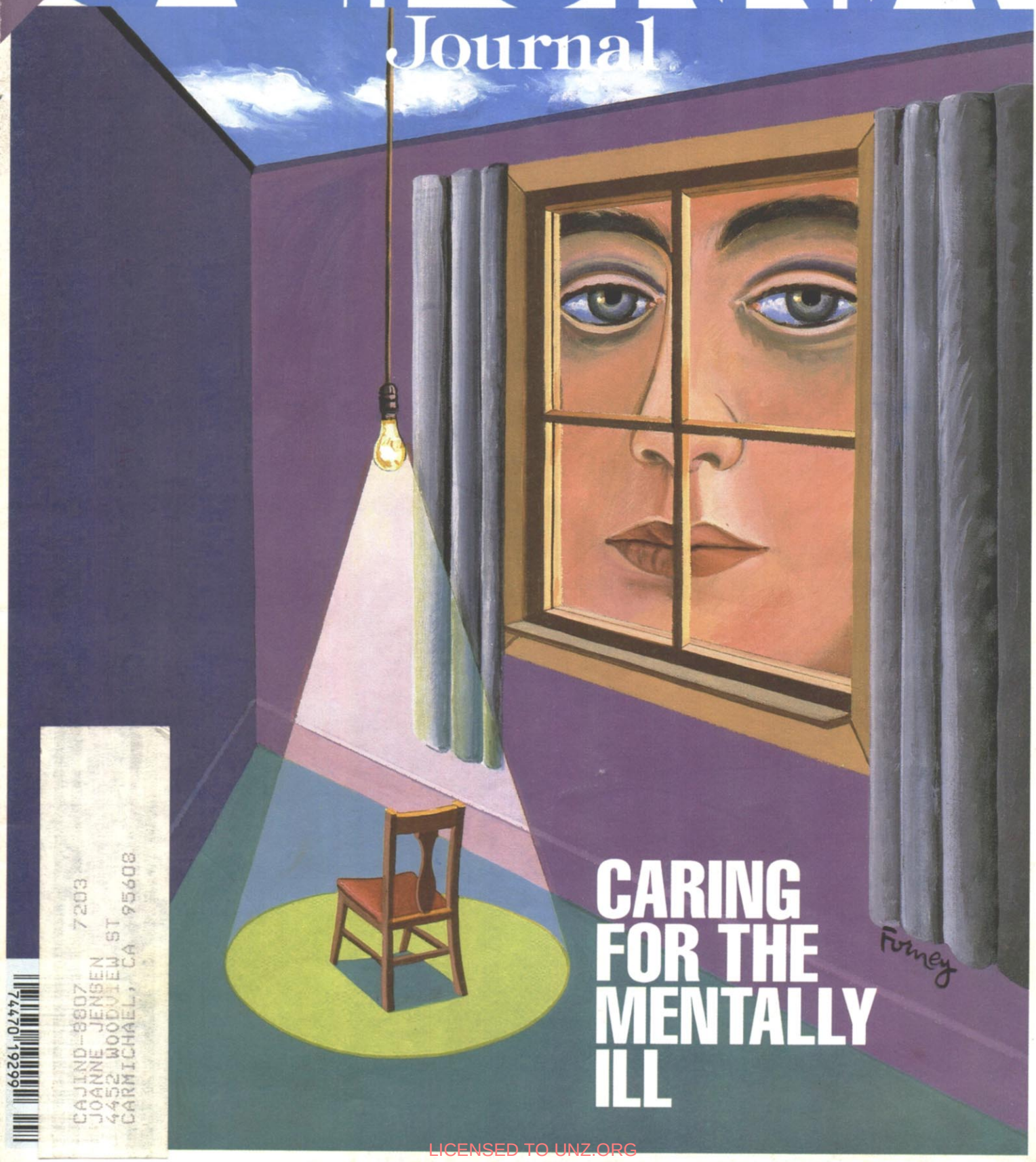

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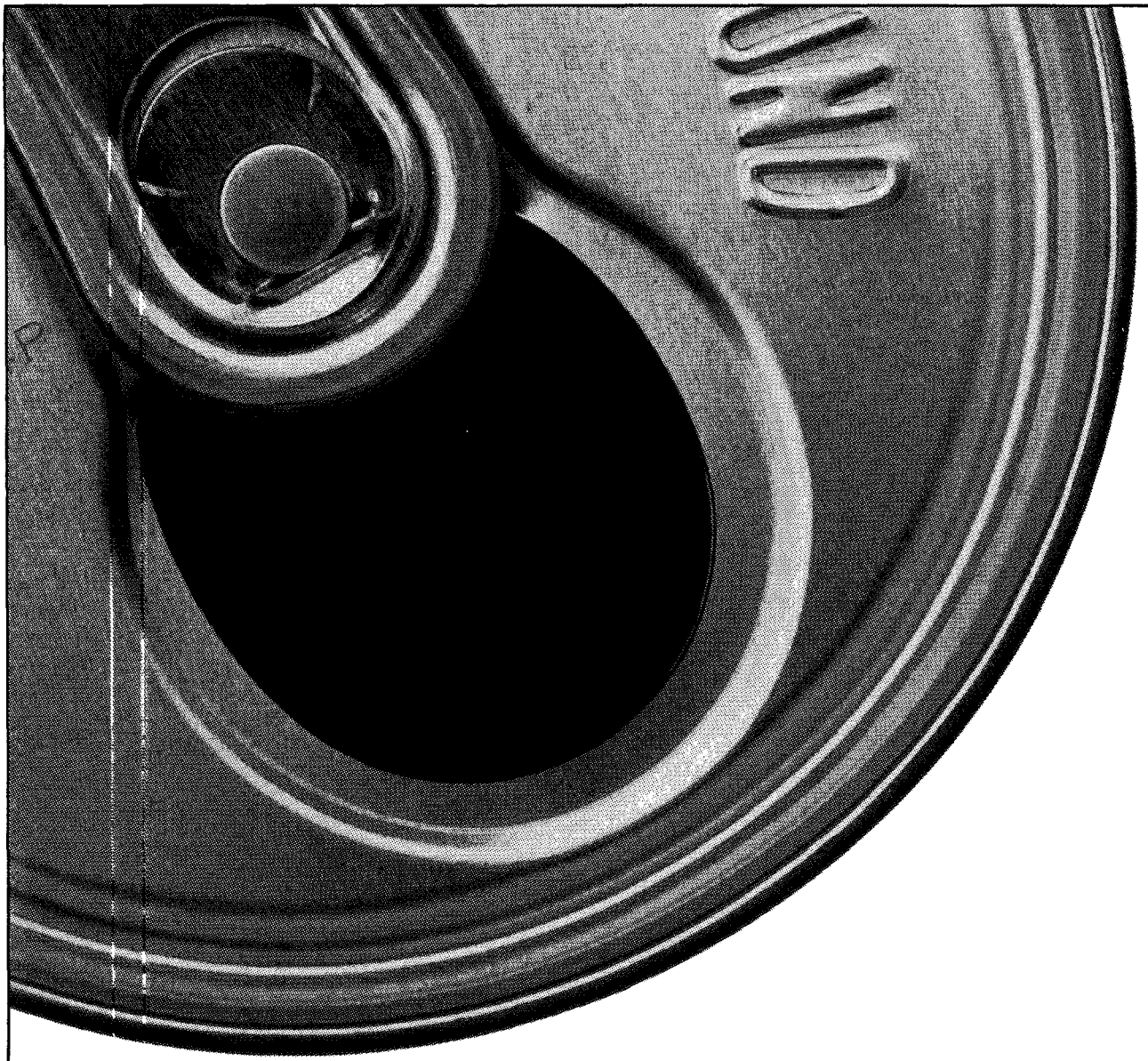

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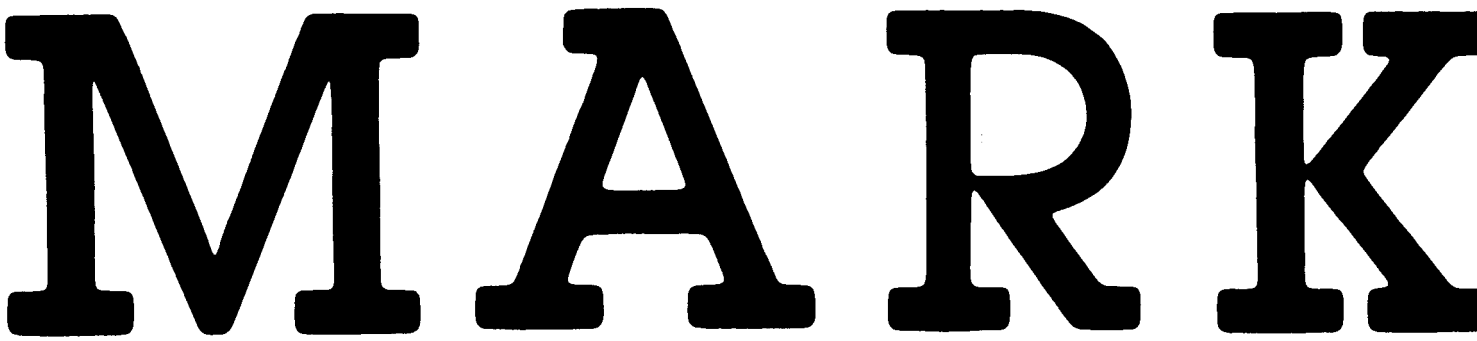

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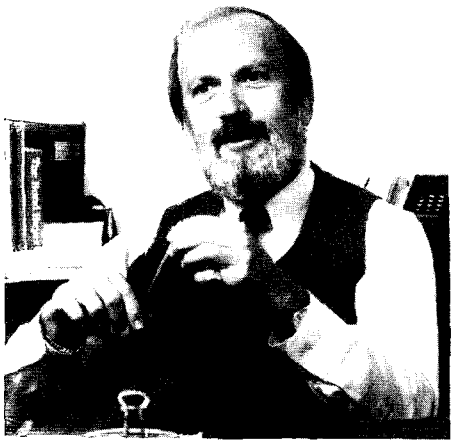

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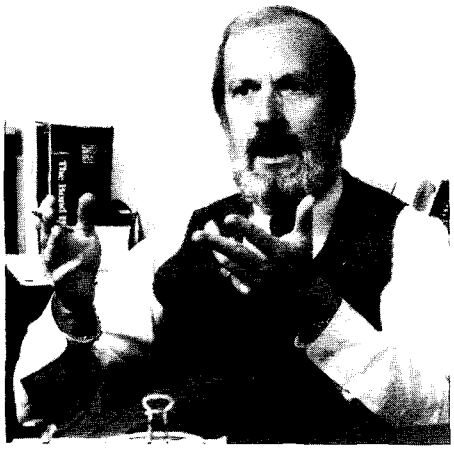

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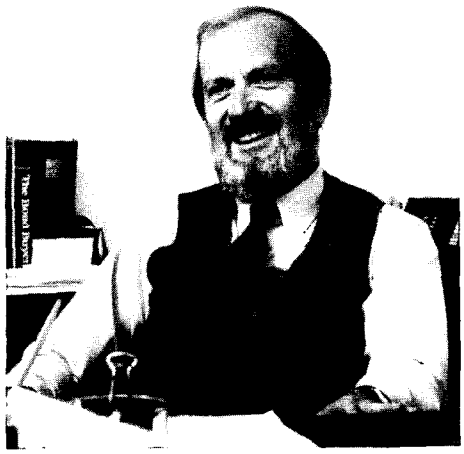

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CALIFORNIA Journal

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The 1987 Roster and Government Guide

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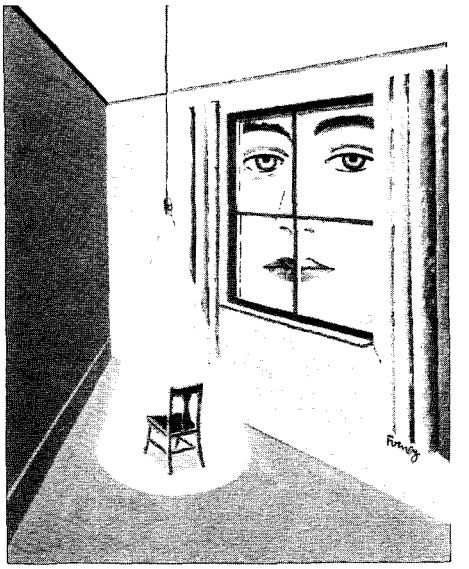

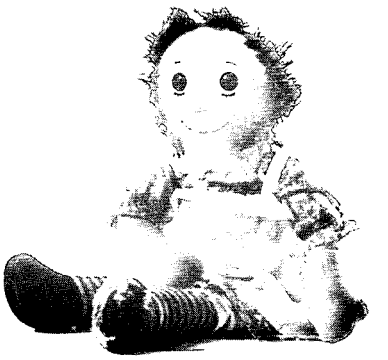

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UP FRONT

Wretched of the earth

Don't be surprised if a few of Ed Davis' bills get rough treatment from the Assembly this year. Seems the Republican senator from Chatsworth had a few unkind things to say about the lower house during a session with reporters and editors from the *Ventura Star-Free Press*. In response to a question about a potential primary challenge from Simi Valley Assemblywoman Cathie Wright in 1988, Davis said: "The Assembly is such a wretched place with such wretched people. I can understand her wanting to escape to the more intellectual and genteel Senate."

(John Frith, Simi Valley)

Old assemblymen

Old assemblymen never die — some don't even fade away. Two Democratic members who left the Assembly after last session have been seen recently prowling the halls of government, seeking employment. First, former Rules Committee chairman Lou Papan sought (and may still get) a job as executive director for the State Board of Equalization (see Up Front, *CJ*, January 1987). Now, Richard Robinson seems on the verge of signing a consultant's contract to work for Assemblyman Phil Isenberg, the Democrat from Sacramento who is also assistant Assembly speaker pro tempore. Robinson, from Garden Grove, was defeated for Congress this past November in his race against incumbent Republican Bob Dornan. A spokeswoman for Isenberg says Robinson would provide parliamentary expertise.

Lou, who?

More on Sweet Lou. When we last left Lou Papan's quest to be executive director of the State Board of Equalization, rumor had it he'd rounded up the support of new board members Paul Carpenter and Controller Gray Davis. Conway Collis, always willing to get in on political action, was said to be willing to fall in line, as was the board's only Republican, Ernie Dronenberg, whose support would make the deal look slightly less partisan. Well, Ernie wants us to make it clear that he's not in on the deal. Lou's never talked to him, nor has anyone else, and he's not being pressured by anyone. Besides, if for some reason current director Doug Bell departs, Ernie wants a nationwide search to be made for a successor, just like the big private firms do. Of course, if the search turns up Lou. . . .

He's all yours

If anyone knows what it's like to deal with Quentin Kopp, the Bay Area's newly-elected independent state senator, it's his former colleagues on the San Francisco Board of Supervisors. They've been privy to Kopp's outspoken, often grumpy demeanor since 1971. That's probably why one of them sent Senate President pro Tempore David Roberti a bottle of Maalox to commemorate the start of Kopp's rookie season in the Legislature.

Entrance of the year

If you were a reporter covering the governor's inaugural ball January 5th at the Sacramento Convention Center, you made one of the more memorable entrances of all time. A press release directed you to a side door marked "media." That turned out to be a step into nowhere because when you tried to get in, your way was blocked by several rows of tables. An aide from the Duke's reelection committee then escorted you to the convention center's loading dock where you had to walk past two enormous mounds of trash to reach the door.

Cover up

Someone over in East Los Angeles didn't care much for our January cover photo featuring three prominent Latino Democrats — state Senator Art Torres, Assemblywoman Gloria Molina and LA City Councilman Richard Alatorre. Actually, they objected mostly to Molina who is currently involved in a fast-heating election campaign for the LA council against Larry Gonzalez, a member of the Los Angeles School Board. A week after the magazine appeared on newsstands, a doctored cover surfaced in East LA, with Gonzalez' picture superimposed over that of Molina and "the correct cover" scrawled across the bottom of the page.

Humble ragout

Be he ever so humble. Let it not be said that Richie Ross can't poke fun at himself. Ross, the speaker's chosen political hit man who took a thrashing in the November elections, has been sending out cards to a select group of legislators and reporters that features an adhesive bandage on the cover along with the word "lumps." Inside is a picture of Ross with a black eye and a bandage on his nose. The legend inside says, "I took my lumps."

Duke's gala

Comedian Mark Russell made a Sacramento appearance last month on be-

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half of Common Cause. His best line poked fun at the governor's inauguration festivities: "Deukmejian Gala — there's an oxymoron for you." He continued, "I'll bet the oatmeal flowed 'til 9:30."

Metaphor madness

Down to our BVDs. Poor George Deukmejian. It was only an election year ago that Deukmejian proclaimed in his State of the State message that he had taken California from "IOU to A-OK." Well, things are a little bumpier this year, what with Gann limits, revenue coming up a lot shorter than expected and Medi-Cal costing a lot more than expected. As a result, the governor had to find a way to say everything was still A-OK while letting everyone know it really wasn't. The governor's metaphor-makers labored and came up with: "The best is yet to come."

The new enemies list

The latest status symbol around the state Capitol is to be on "the list." Which list is that, you ask? The list of people who just might be called as witnesses in the trial of former Assemblyman Bruce Young, accused of hobnobbing, consorting and otherwise being involved in shenanigans with convicted political corrupter (we love that title) Patrick Moriarty. You remember Pat — the former fireworks magnate who is now franticly trying to get one or two other people convicted so he can get his own term reduced. Young's attorneys provided the court with 108 names, including half of the state Senate and 21 members of the Assembly. Must be hard for some lawmakers to think they aren't important enough to be included.

Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front," so rush your items to Up Front, 1714 Capitol Avenue, Sacramento, 95814. Sorry, submissions cannot be returned.*

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Caring for the mentally ill

BY J. S. TAUB

An intense tug of war is developing over new approaches to treatment of the seriously mentally ill, and California lawmakers may soon be asked to pick sides.

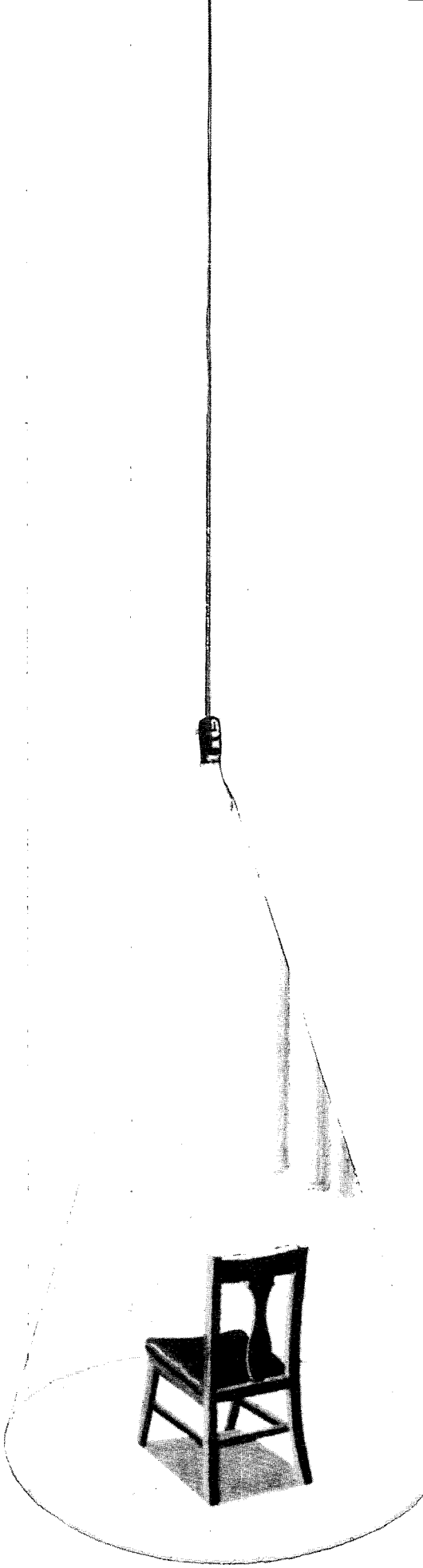
The Legislature, the Department of Mental Health, county mental-health directors, concerned family members and patient groups are falling out on either side of several hotly-debated proposals to liberalize the Lanterman-Petris-Short Act — the state's strict law that says who can be involuntarily held because of mental illness.

Enacted in 1969 in conjunction with a nationwide policy of deinstitutionalization, the law — known to insiders as LPS — has since become highly regarded as a "patients' bill of rights." It is the key to the locked ward that never gets thrown away. Modifying LPS would have a profound impact on the state's 600,000 mental-health clients, and especially the homeless, some 30 percent of whom are considered to be seriously mentally ill.

Those wanting to ease commitment standards believe such action will aid the mentally ill and their families by sanctioning swifter intervention and corral many of the homeless into psychiatric services that LPS prohibits communities from involuntarily delivering. They call it the "right to treatment." Critics blast the proposals as an unconstititutional assault on civil rights and a wasted effort at capturing the homeless.

The dispute is legal, medical and philosophical, shrouded in shades of gray and layered in ambivalence. LPS was never a perfect solution, but it has proved a durable middle ground. Says Assemblyman Bruce Bronzan, a Fresno Democrat who heads up the Select Committee on Mental Health, "LPS is a rough agreement and it is imperfect on both sides, and maybe that's what's good about it. Everyone who looks at LPS sees good things and bad things."

The act says a person may be com-



J. S. Taub is a freelance writer from San Francisco.

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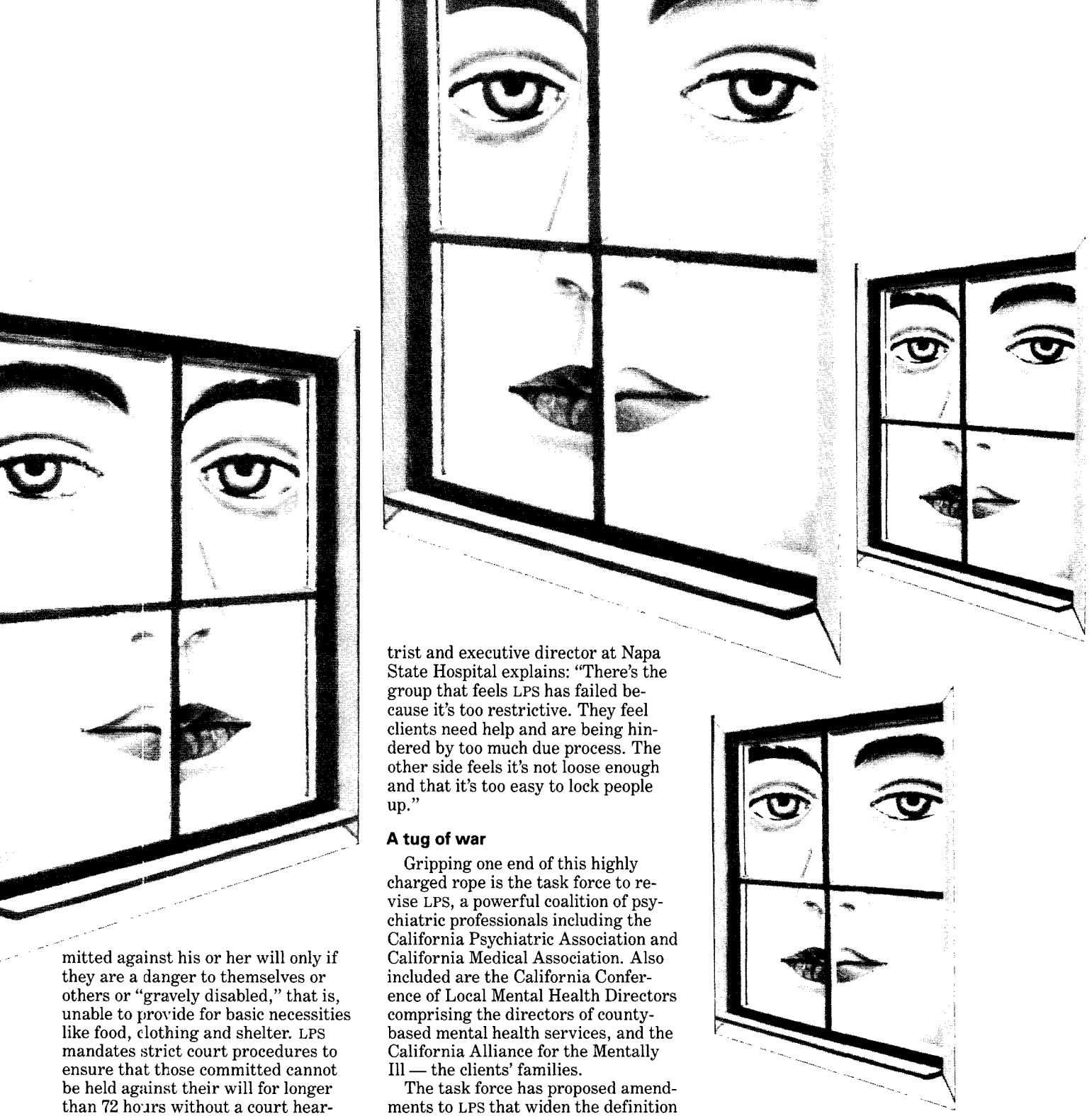

mitted against his or her will only if they are a danger to themselves or others or "gravely disabled," that is, unable to provide for basic necessities like food, clothing and shelter. LPS mandates strict court procedures to ensure that those committed cannot be held against their will for longer than 72 hours without a court hearing. A protesting client can get faster action by filing a writ of *habeas corpus* in superior court within 48 hours. Further court hearings are required for longer, involuntary treatment, or to appoint a conservator for the gravely disabled.

"The revision of the civil commitment law is going to be a premier issue in the next year or two, and there are two major forces," reports Dr. Michael O'Connor, director of the California Department of Mental Health. Dr. O'Connor, a former ward psychiatrist and executive director at Napa State Hospital explains: "There's the group that feels LPS has failed because it's too restrictive. They feel clients need help and are being hindered by too much due process. The other side feels it's not loose enough and that it's too easy to lock people up."

A tug of war

Gripping one end of this highly charged rope is the task force to revise LPS, a powerful coalition of psychiatric professionals including the California Psychiatric Association and California Medical Association. Also included are the California Conference of Local Mental Health Directors comprising the directors of county-based mental health services, and the California Alliance for the Mentally Ill — the clients' families.

The task force has proposed amendments to LPS that widen the definition of "grave disability" to include persons suffering from severe and treatable mental disorders who are likely to deteriorate without mental or psychosocial intervention and who are unable to make informed treatment decisions.

Other major proposals establish a mandatory outpatient program, emphasize family testimony at commitment hearings, increase the length of stay after the initial 72-hour hold (to up to 30 days from 14) and lengthen certification from 180 days to a year for those who have demonstrated a danger to themselves or to society. The task force also recommends removing the client writ of *habeas corpus*. The draft report — dated October 21, 1986 — targeted "the cumbersome legal process (as) a significant factor in the overall problem."

Tugging the other end of this rope are a state-appointed watchdog group, patients'-rights advocates and ex-clients who say the civil commit-

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The mental health lobby

By KARIN PETERSEN HSIAO

Whenever the Legislature considers mental-health issues, a melange of voices makes itself heard in the Capitol. Although their numbers aren't great, the groups who lobby the Legislature in the mental-health arena are many and varied.

Out of this maze of organizations emerges a top tier of groups who are most visible and effective. They range from volunteer organizations of mental-health clients and their families to statutorily-created bodies that are part of the state's mental-health system to well-heeled professional organizations.

The California Alliance for the Mentally Ill (CAMI), a volunteer organization of parents and family members of the mentally ill, is by all accounts one of the most influential of these voices. The Alliance has become important by virtue of its excellent organizational skills, says Ann Arneill, executive director of the California Council on Mental Health. "They have gotten very saavy about the legislative process."

Although the family group doesn't have economic clout, it has consumer clout. California State Psychologists Association lobbyist Joan Amundson, who staffed the Assembly Subcommittee on Mental Health and Developmental Disabilities for ten years, says CAMI is equally as effective as the professional groups because "they can get a lot of people in the halls and a lot of letters written." Daphne Shaw, president of the California Coalition for Mental Health, an umbrella organization to which the Alliance belongs, says CAMI's key to success is its local chapters which contact and influence lawmakers, a strategy she feels enables the Alliance to overcome any economic handicap.

Democratic Assemblyman Bruce Bronzan of Fresno, the subcommittee's chairman, agrees. "A real standout in my mind, as I look back over the past few years, is the parents," he said. "It's the parents who have had one of the most persuasive voices."

The California Conference of Mental Health Directors, a formal association of the 58 county and two city directors, is another influential voice, according to many who are involved with mental health. Arneill feels the directors' organization is "the most prominent group" on legislation because state funds are administered through the counties. Conference president Bob Martinez says his group is often helped out by the Organization of Mental Health Advisory Boards, which has less of a perceived bias in the Capitol.

CSPA's Amundson said the mental-health directors sometimes have the clout of the County Supervisors Association of California behind it. But Coalition president Shaw adds the directors can also be hindered by a reluctance to cross swords with CSAC because the county supervisors are the county mental-health directors' bosses.

Among the professional organizations, the California Psychiatric Association (CPA) is the most active and, frequently, the most effective, at least in part because the California Medical Association often backs them on mental-health issues. The psychiatrists' lobbyist, Kay Knepprath, says the CPA is also aided by their frequent association with CAMI. "They need our expertise and we need their personal message," said Knepprath.

Knepprath notes that although the professional organizations, including CMA and the California Association of Hospitals and Health Systems have clout whenever they speak out on an issue, mental health isn't their primary focus.

Bronzan, who said a handful of individual psychiatrists and psychologists are at least as influential as the associations' professional lobbyists, notes that the professional associations are often more vocal on scope-of-practice bills than on policy issues.

Another volunteer group ranked among those who are effective in the mental-health sphere is the California Network of Mental Health Clients, a relatively new organization of current and former mental patients. Bronzan aide Sue North says the presence of the Network and CAMI has broadened the scope of discussion on mental-health issues. Those groups are listened to in a different way because "we've never heard from them before," she said.

Jay Mahler, the Network's legislative coordinator, admits the patients' group is a grassroots one, like CAMI, which differentiates it from the professional associations that have permanent staff and more money. "I really wish we had some resources," he said.

The California Council for the Mentally Ill, a statutorily-created body, is often named as another of the influential voices in mental-health issues. Consisting of appointees from the governor, Senate Rules and the speaker of the Assembly, the council cuts a swath across all opinions with its membership, which includes families, patients, psychiatrists, psychologists and attorneys. Conference president Martinez feels the council is listened to because of its position as a recognized advisory group and because of the individual members.

Although these groups, and many others with at least periodic interest in mental-health legislation, are increasingly visible in the Capitol, Assemblyman Bronzan feels people are not well organized politically around mental-health issues, at least partially because the subject is relatively new on the legislative agenda. He says the advocacy efforts still rely on a few highly-motivated individuals within and without the groups, and he adds that the constituency needs to be far more aware of their potential strength.

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ment laws are adequate, if imperfect, and that the proposals violate a noncriminal's constitutional rights. Though the LPS task force acknowledges that more 24-hour treatment beds and "closely linked, well-organized, effective outreach aftercare programs will be essential if . . .this underserved population is to benefit," it does not suggest how that would be financed. This represents a major flaw in its findings, critics say.

Dr. Marye L. Thomas, director of Alameda County mental-health services, voted for the report but qualifies her support by citing the overwhelming consensus among county directors that the quality of mental-health care is chained to the dollar sign. "The budget situation is extremely serious. First we had Proposition 13, so we cut the fat. Now, when we experience cuts, they are in programming and services to clients. We are still rationing care, denying care and prioritizing target populations which increase yearly," Thomas says. But she believes the task force report represents the best current thinking in response to critics who say LPS makes it difficult to treat people in need. "Anyone with an IQ of room temperature knows that the LPS law is interpreted narrowly. Families feel the system is too lax and that we don't do enough," she says.

Adopting the report's recommendations would make it easier for families of the mentally ill to commit them against their will before they bottom out into psychosis. "The families know what the pattern is. We know when a person is deteriorating and will eventually end up in a psych ward. We should be able to intercede instead of watching our loved ones sink before the state will help," says Donald Richardson, president of the National Alliance for the Mentally Ill — the family group.

Thomas is less sanguine about the proposals' effect on the homeless, particularly mandatory outpatient treatment. "The whole point is not just to mandate treatment. Saying that they must come here once a week, talk to me, get a shot and leave won't do it. We went out and talked to homeless people. They want a place to sleep, eat and shower and do not want to undergo treatment as a condition for these services. They want to present themselves without deprivation of their liberties," she says.

Dr. Charles M. Moody, director of San Joaquin County mental-health services, remarks, "I'm not in competition with the Volunteers of America. We want to keep people out of institutions and halt multiple admissions. There's such a thing as dying with your rights on. We've got a bunch of people in this county — we call them the 'top 100' — who are brought in up to six times a year. These are the people I would force into an outpatient program, otherwise they will just keep coming back. A lot of money is spent on relatively few people in this way." If they refuse outpatient treatment? "If they refuse treatment, I'd pop them into the hospital," Moody says.

An inability to cope

Dr. Reiko Homma True, deputy mental-health director for San Francisco County, is among the tiny minority of dissenters from the findings. "San Francisco and the major cities are suffering and on the brink of collapse. What would we do if the law were liberalized, making it easier to put people in the hospital? Because of the existing situation of inadequate resources, I couldn't comply with it even if I wanted to," she remarks. Dr. True belongs to the "dying with your rights on" school. "Deterioration without treatment and denial of the *habeas corpus* is subjective and dangerous. Mandatory outpatient treatment changes our role in the community. We are not probation officers," she says.

Critics emphasize that the conventional methods suggested by the task force have already failed the homeless, and that more creative, less restrictive and more accessible services must be devised to accommodate their special needs. A 1985 report on the homeless delivered to the State Department of Mental Health suggests services like drop-in centers and emergency shelters, mobile therapy units, socialization programs, crisis counseling, vocational training and money management.

The state, responding to prodding by Bronzan, allocated $20 million to the homeless project. Further, the state is in its third year of Governor George Deukmejian's own Mental Health Initiative. Allocations for mental-health services rose 9.7 percent for fiscal 1986-87 over the previous year, totaling $937.4 million. That includes an increase of $36 million for community mental-health services to a total of $494 million. Deukmejian had also increased mental-health financing for the two previous fiscal years by a total of $141 million. The state's five mental hospitals got a 10 percent hike over the previous year to total $324.5 million. That represents a 25 percent rise over the 1984-85 sum.

Further, the Department of Mental Health plans to have all state hospitals accredited by the end of the year and is overseeing a $130 million renovation project. New staffing standards have added some 700 new treatment positions since 1984.

Those in the middle

In the middle of this controversy are the seriously mentally ill, forming a thickening rope. The rope's steel core is psychosis. Psychosis is a shorthand term for major illnesses like schizophrenia and manic depression for which there is no cure. These conditions are often mis-diagnosed and inappropriately treated, which can cause extreme anguish.

Schizophrenia is marked by delusions, inappropriate responses to stimuli, disorganized thinking, hallucinations and voices, flawed connections with and responses to reality, and diminished social interaction ranging from "acting out" to withdrawal. The most common of mental illnesses, schizophrenia is tough to diagnose and treat because its symptoms are highly individual. Because it is believed to be not one, but a cluster

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of up to 12 distinct diseases affecting the transmission of neurochemicals in the brain, none of which has ever been precisely located or defined, it has been termed the "wastebasket" of mental illness.

Somewhat easier to diagnose is manic depression, also known as bipolar disorder, characterized by mood swings from elation, or mania, to depression. Treatment of manic depression is distinct from that of schizophrenia, but sometimes they are mistaken for each other depending on the physician or diagnostic circumstance. Episodes of either can be sudden and short-lived, or chronic. For both, institutionalization, psychotherapy, and powerful psychotropic drugs are the only treatments available. Success depends totally on the individual. Some respond so well to drugs like thorazine, prolixin, mellaril, navane, haldol and lithium carbonate, they may be able to live normal, productive lives. Others don't respond at all. For some, the symptoms worsen and are aggravated by the drugs' invasive, and often toxic, side effects. No one knows why.

Wound tightly around this core are family members and psychiatric professionals — the LPS task force people, frustrated in their efforts to treat these disorders. Layered above them is a wary public which treasures the principles of civil liberty and due process but would withdraw them for mental patients because of their false reputation for violence.

Says Dr. O'Connor, "My biggest frustration is the job of removing the stigma of mental illness from the public mind. We have a job to help the public understand mental illness so they don't fear these people."

When it comes to LPS, clients prefer the hands-off policy. "We disagree with the whole thing," says Jay Mahler, a patients-rights advocate for Contra Costa County and a member of the California Network of Mental Health Clients, a burgeoning ex-client group. Hospitalized on three separate occasions beginning at age 21, Mahler, like many clients, deeply resents forced drug and electroshock treatment. Mahler objects to the task force's proposals for mandatory outpatient treatment, bringing in the concept of substantial deterioration, and particularly elimination of the writ of *habeas corpus*. "Outpatient treatment is not workable. You need to want to take that medication because not to take it would be worse. There has to be some creative, human caring; not force. That's just good sense, because it's obvious that what we are doing now doesn't work," he says.

Lori Shepherd, patients'-rights advocate for Butte County, who was committed at age 20 after encountering problems adjusting to college life, points out, "In a probable cause hearing, the writ is heard by the judge and the burden is on the facility to prove the person must be held involuntarily. Writ hearings are a constitutional right and it is subject to a time limit. If they took that away, the hearings would be de-emphasized as a right, and people wouldn't be informed about them. Even in a jail, there is an appeal process, but the task force is saying that clients, who have broken no laws, don't have that right."

Other critics

Ex-clients aren't the only ones objecting to the task force report. The California Council on Mental Health, a state-appointed panel, is sharply critical. "My personal view is that the commitment laws themselves do not require major changes," says Ann Arneill, executive officer. "Most of the problems that family members and professionals cite as evidence of needed reforms actually result from the overall scarcity of mental-health resources. Before changes are made to the LPS Act, the state should be assured that the full letter of the law is being enforced uniformly in all the counties," she says.

Specifically, the council believes that ". . . revisions are mostly assertions without sufficient substantiation. We have not seen the data indicating the need; rather there has been an emphasis on emotional and anecdotal vignettes as a basis for change in the law." The council also objects to the task force introducing "subjective judgments" into the civil commitment criteria. Its response states, "A psychiatrist's conjecture should not be the basis for denying someone's individual liberty, especially since psychiatrists are consistently poor prognosticators of their patient's behavior."

The council also highlights an irony surrounding refusal of treatment. ". . . a therapist may believe that a competent person would obviously agree to treatment, and thus any other response is interpreted as a manifestation of incompetence to make that decision." Joyce, an ex-client who asked that her last name not be used, illustrates this dilemma. "Every time I took thorazine I felt as if I were participating in my own murder. What really kills me is that they told me that feeling was a part of my mental illness. That's a lie."

What is not a lie are the pages de-

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voted to contra-indications of popular psychotropic drugs, with which the vast majority of clients are treated. According to Physicians Desk Reference, all psychotropic drugs are associated with a particular dreaded side-effect called tardive dyskinesia, considered a disease in itself. This syndrome, usually observed after years on such drugs, includes involuntary movements of the tongue, face, mouth and jaw such as "protrusion of tongue, puffing of cheeks, puckering of mouth and chewing movements." There is no treatment, no cure and no way to predict who will get it or when.

At present, all mental-health clients in California have the right to refuse electroshock or any kind of convulsive therapy and psychosurgery. Voluntary patients may also refuse psychotropic drugs. Involuntary patients do not have the right to refuse drugs, although a class-action suit on appeal in San Francisco will be testing the constitutionality of that disparity. Moreover, the Legislature has specifically said that just because someone is committed does not mean they lack capacity to consent or refuse treatment. Capacity to consent is a legal, not a medical, determination. This is a thorny issue for Dr. O'Connor who believes that the capacity issue must be addressed.

Dr. O'Connor has so far declined to take a position on LPS revision. "I haven't made up my mind about this because I am torn between these things. As a clinician, I was frustrated that I couldn't treat the person adequately because I didn't have enough time with them. But I am also concerned about the issue of liberty. You have to balance due process, administration rights and 'doc knows best.' Does doc really know best? If you look at the law, it hasn't been tinkered with too much. These are issues of ethics and morality and they are complicated and heavily charged."

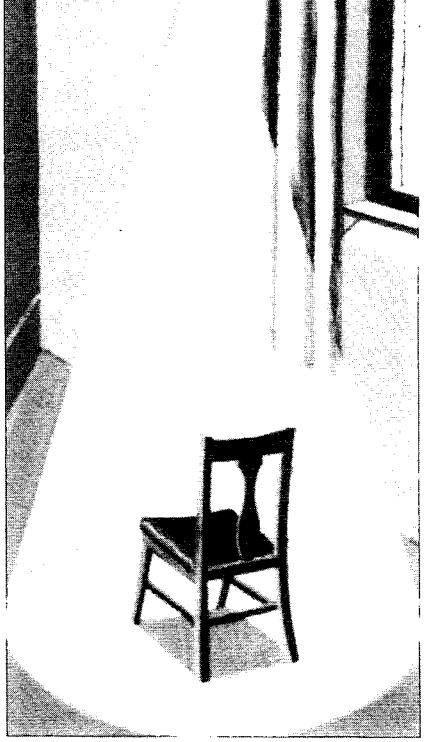
Failed program

More shocking is the implication that the 20-year stab at deinstitutionalization has failed, and speculation that expanding LPS signals a back-to-the-hospital movement. In the last 20 years, all but the most advanced cases of chronic psychosis have been shoved out of the oldest closet on earth, the asylum, and remanded to their communities as part of a nationwide deinstitutionalization movement. Designed to treat clients more humanely, and in the least-restrictive setting possible, this movement has emptied California's mental hospitals of all but 5000 of its hardest core non-criminal psychiatric cases, the criminally insane (now called mentally disordered offenders or MDOs), and the retarded.

The community mental health programs, established under the Short-Doyle Act in 1969, were designed to be independently run by the 58 counties, to pick up the slack in treatment and rehabilitative services. They have been plagued by a chronic lack of funds. Dr. O'Connor comments, "For the first time in 25 years, I've detected the sentiment that maybe state hospitals are too small and people aren't getting the services they need. The target was to get everybody out of the hospital, but maybe we went too far. Maybe we passed the train station and forgot to get off."

However, knowledgeable observers suggest that even if involuntary commitment is no longer a dirty word, neither is it the new buzzword. Those who candidly support relaxing commitment laws note that regardless of the degree of its success so far, deinstitutionalization is now accepted policy. "Deinstitutionalization hasn't worked very well. But it's too late to go the other way. Even if we did have another hospital, I see little hope of it making a difference now," says Dr. Moody, the mental-health director in San Joaquin County.

Washington state may be the ball California needs to keep its eye on. In 1979 Washington broadened its civil commitment code in much the same way as the LPS task force report now suggests. Its consequences were examined in a study by the National Institute of Mental Health article which concluded, among other things: The number of patients committed involuntarily increased significantly and that many had never been inpatients before; the new patients stayed in hospitals longer than other patients and



became chronic users of the facilities; the major state hospital became overcrowded and a cap on new admissions was attempted but unsuccessful; and that voluntary patients were virtually excluded from state mental hospitals.

A bill passed through the California Legislature last fall, mandating an 18-month pilot study, was designed to study the effects of the task force proposals before actually changing the law. It asked that three of California's 58 counties participate. They are San Bernardino, Placer and Santa Barbara. San Francisco has also expressed interest in volunteering. Dr. O'Connor favors the pilot program but stresses that its results will not be used as a policy statement. "I would not like the results reported for Washington state to happen here. And, theoretically, the pilot project would be a test to see how it would work. We really felt we wanted an inkling, a sense of how it would work before we embarked on changing the law," he says.

Admitting that the pilot program is not the "best, most scientific approach," particularly since the larger urban areas like San Francisco or Los Angeles are not included, he points up its value as part of the general discussion.

This discussion is expected to produce reassessments. And as client groups become vocal, patients'-rights advocates, their input may well guide California's devoted professionals and compassionate legislators on the treatments that are needed, wanted, appropriate and affordable for all the seriously mentally ill — the housed and the homeless alike.

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A raggedy system of caring for kids

At a time when the Legislature is wrestling with proposals to amend California's landmark civil commitment code, called LPS for the Lanterman-Petris-Short Act, it will also be eyeing a pint-sized variation on this theme.

Assemblyman Bruce Bronzan, a Fresno Democrat and chairman of the Select Committee on Mental Health, intends to craft a comprehensive Children's Mental Health Act, a "kiddy LPS," as an adjunct to proposed changes in the adult statute. This comes in response to an alarming rise in the number of minors being committed to the state's public and private mental hospitals amidst allegations that such commitments are unwarranted.

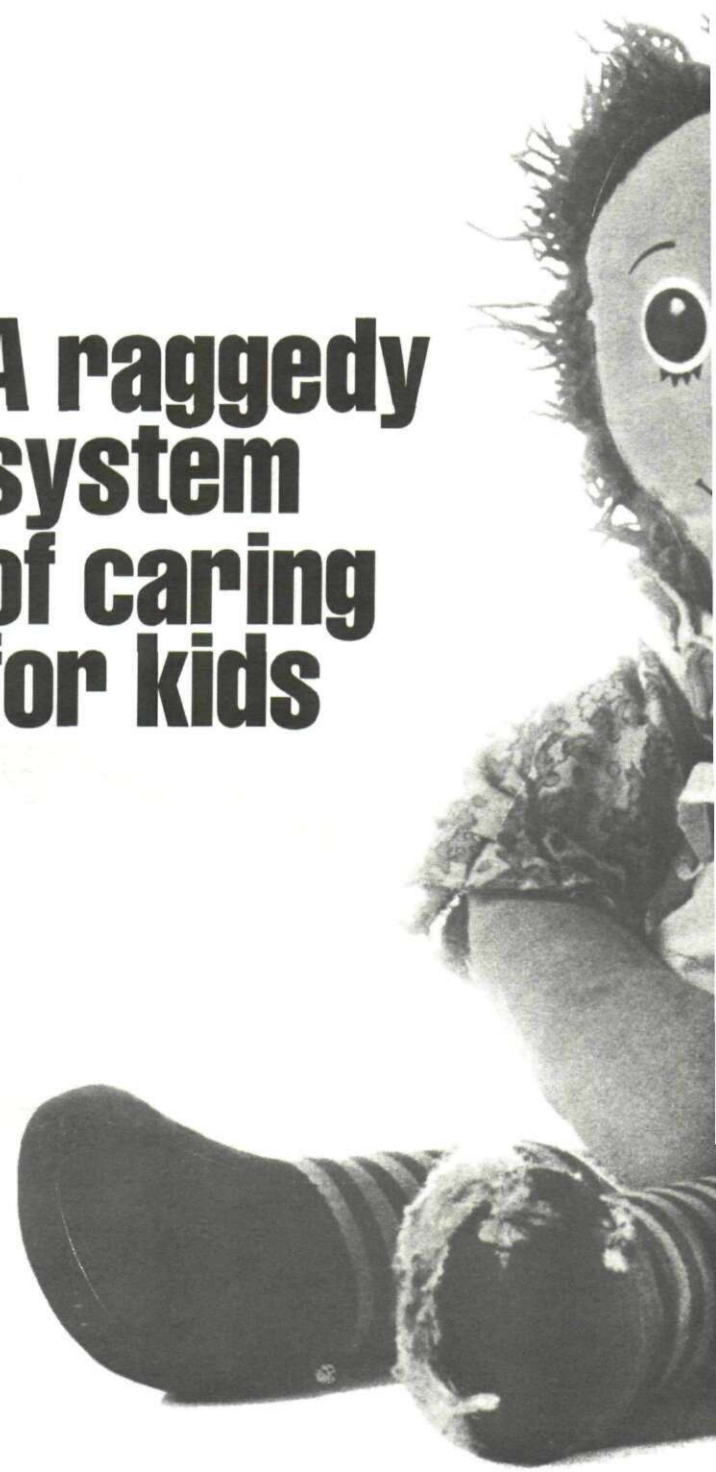
"LPS as it applies to children is vague. The problem is that the thrust of this complex document is aimed at adults, and there is confusion and lack of specificity so that the treatment of children varies from county to county and judge to judge. There has to be an appropriate middle ground as to how the law should treat children," Bronzan says.

Though LPS technically applies equally to children and adults, Bronzan points out that LPS is irrelevant to minors subject to the overlapping authorities of social welfare, educational and parental juristictions. This is particularly true when a minor is committed involuntarily to a private mental institution. Says Bronzan, "There are fewer services for seriously emotionally disturbed (SED) children than there are for the homeless, and we want to resolve the major problems for both adults and children at the same time."

In California, due process for minors is provided by a legal precedent called Roger S. The statute says any minor 14 years old or over may request a court hearing to contest involuntary commitment by parents or guardian. The problem with Roger S. is that it only applies to children committed to public facilities and not to the growing number of private mental institutions catering to the "kid biz."

In fact, these little clients represent nothing short of a growth industry, and an unregulated one at that. Private facilities which are either fee-for-service or reimbursed by private insurance are not required to adhere to the same state reporting standards as public facilities. The National Association of Private Psychiatric Hospitals reports a 450 percent rise in the number of adolescent admissions between 1980 and 1984, from 10,764 to 48,375. Between 1966 and 1981 the number of children placed in facilities for the mentally ill leaped 57 percent, from 21,904 to 34,495, according to the General Accounting Office. The Children's Defense Fund reports that of the 3 million SEDs nationwide, not only are two-thirds not getting the care they need, but that 40 percent of the hospital placements now on record are too long, or just unnecessary.

The State Department of Health Planning reports that there were 586 minors, ages five to 14, in all mental institutions in the state in 1981. That number rocketed to



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4265 by 1984. And though no statistics exist charting the numbers of psychiatric facilities catering to kids, Ron Tom, director of health programs of the California Hospital Association, admits to "a trend toward increased usage of hospital facilities," wherein "hospitals are looking for new sources of revenue."

"Kids in the public sector at least get a fair shake under the law because of Roger S., but they have no protection if they are committed to private hospitals," says Dr. Charles M. Moody, San Joaquin County mental-health director. "In the private sector, if the parents have the means, they can put the little rascals away if they want to."

Just who are these SEDs and how many are there? Stephen Mayberg, chairman of the children's committee of the conference of local mental-health directors in Yolo County, estimates that there are about 25,000 SEDs in California, not all of whom need hospitalization. "People don't like to place the label on children, so the numbers are underreported," Mayberg says. Overrepresented perhaps, are the number of social welfare agencies responsible for minors.

"There has to be some coordination between the education department, the mental health department, family court and the probation department because current laws don't relate to SEDs," comments Sue North, a Bronzan aide. "We need a children's act for these kids and we have no grand scheme as yet."

Patients'-rights advocates are concerned that minors, particularly adolescents who "act out," are being inappropriately placed in for-profit acute psychiatric facilities. An ad-hoc committee in Martinez expressed concern that, "acute psychiatric hospitals . . . may be hospitalizing and forcibly treating children and adolescents that have primarily behavioral problems and/or substance abuse problems; consequently kids may be treated inappropriately."

Dr. Harry Coren, chief of the children's outpatient department at San Francisco's McAuley Neuropsychiatric Institute at St. Mary's Hospital, comments, "We are supposed to look at whether the clinician has diagnosed a treatable disorder. We don't want children in the hospital who don't belong there. I am a doctor, not a parents' strong-arm. You have to take a look at whether medication is needed. I don't drug a child just because a parent says so."

Yet in the face of everyday pressures, the civil-liberties question can sound somewhat facetious, particularly in overburdened public facilities. "There are children here who we definitely need to see and treat before we worry about the issue of civil rights," says Barbara Breen, director of children's specialized services in Alameda County. "It makes me laugh because if there's been a civil rights abuse, it's the lack of treatment for children who are desperately ill. I have a six-year-old who is sewing his hand into a spider web. This child needs help and he has a right to treatment."

— J. S. Taub

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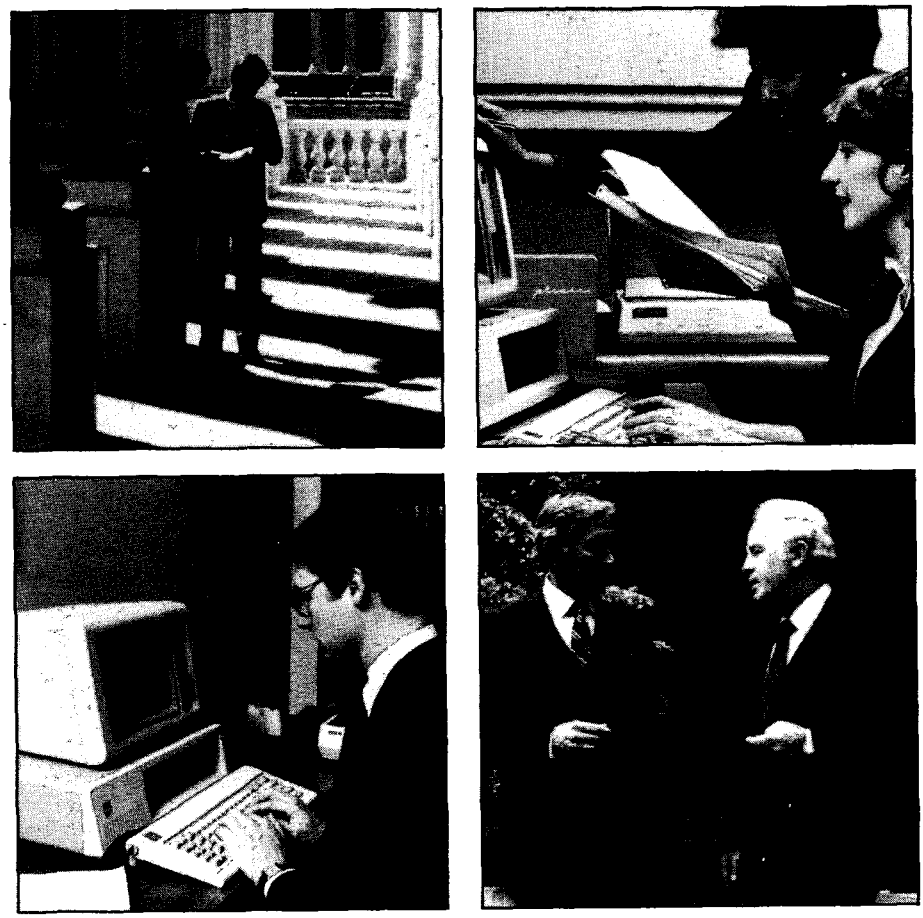

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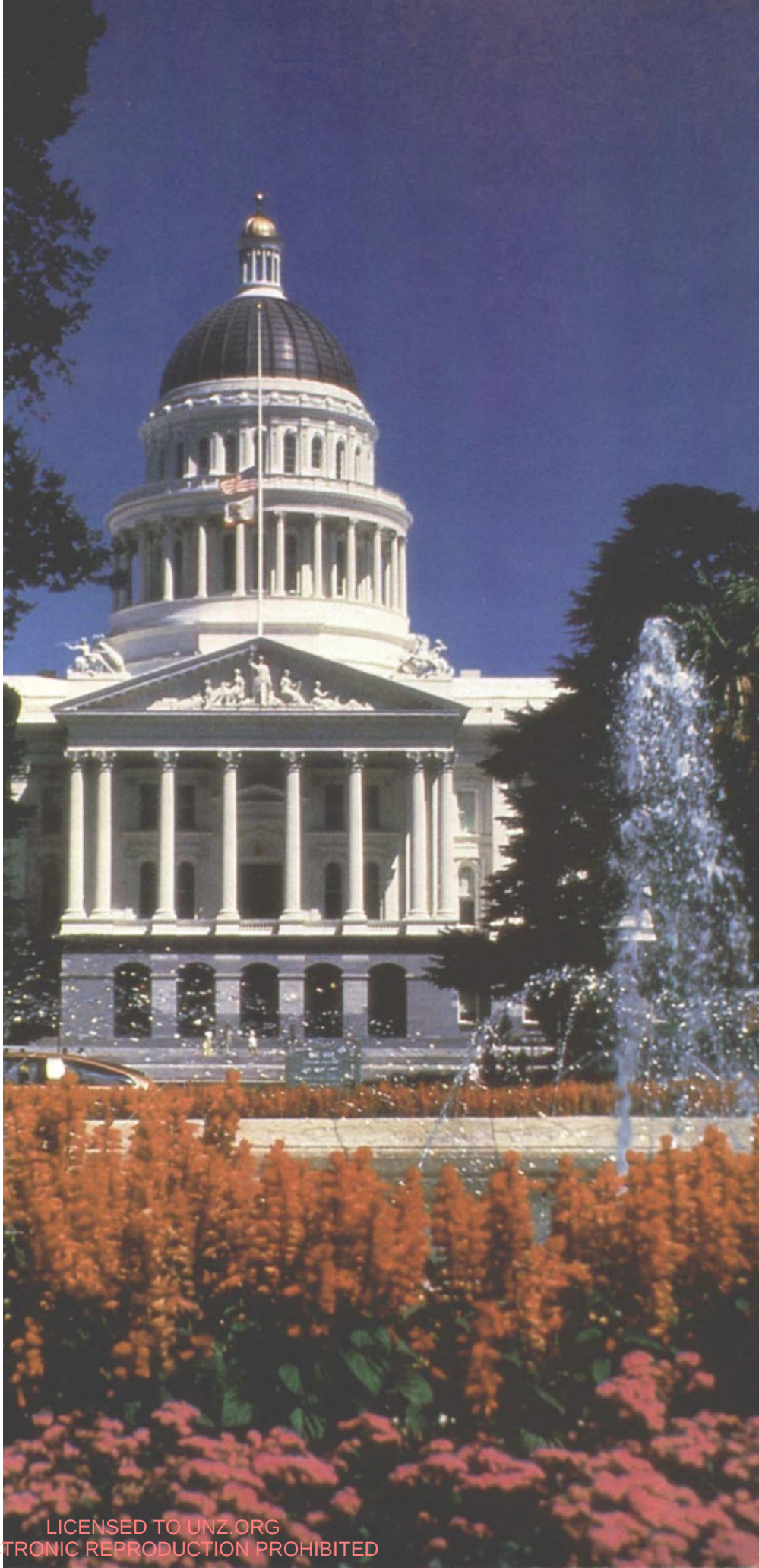

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"SUPPOSE I WANT TO CONSULT WITH OTHER DOCTORS. MY COLLEAGUES ARE JUST STEPS AWAY, NOT MILES AWAY."

After years of study and training to become a physician, Dr. Rick Olson realized something very important.

"You never stop *becoming* a doctor. Because medical knowledge is constantly growing, and the practice of medicine is constantly improving. So, no matter how good you are, you have to keep learning."

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"We're like a team. Which makes consultations to pinpoint a diagnosis or confirm a treatment very easy."

Along with being a physician, Dr. Olson is an avid fisherman. And he sees a comparison between the two.

"In both, you're looking for something that tends to be hidden—a disease in one case, a fish in the other. As a doctor, I've got a whole team to call on if I need help pinpointing a disease. Not so in pinpointing a fish. And somewhere, some 15-pound steelhead are very happy about that."

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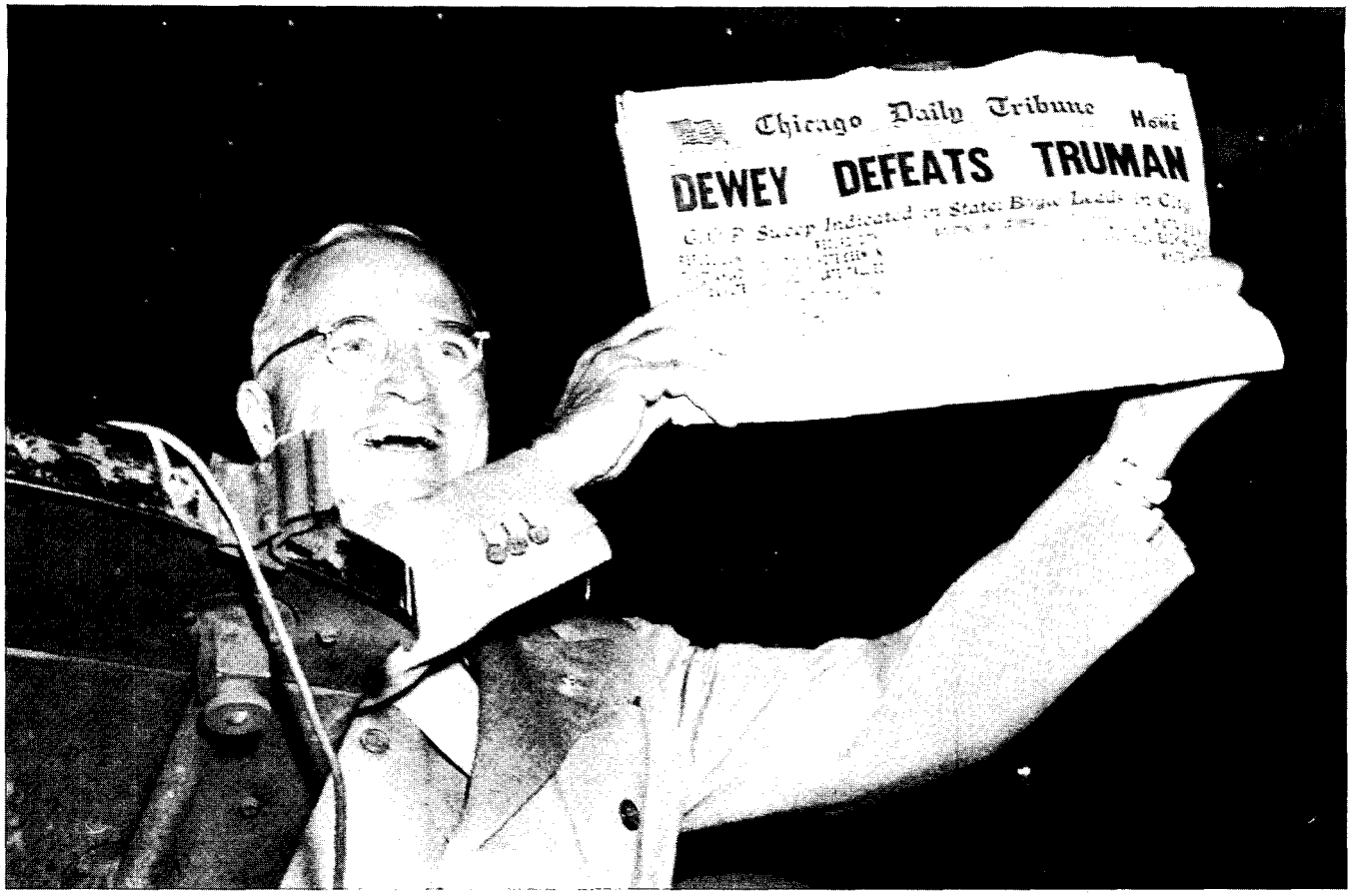

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1035 Detroit Ave., #200
Concord 94518 (415) 689-1973
3086 State Capitol **(916) 445-6083**

Campbell, William (R-31)
AA: Eric Carlson
1661 Hanover Rd., Suite #203
Industry 91748 (818) 964-1443
2066 State Capitol **(916) 445-2848**

Craven, William (R-38)
AA: Scott Johnson
2121 Palomar Airport Rd., #100
Carlsbad 92008 (619) 438-3814
3070 State Capitol **(916)445-3731**

Davis, Ed (R-19)
AA: Yvonne Higgins
11145 Tampa Ave., #21b
Northridge 91326 (818) 368-1171
2048 State Capitol **(916) 445-8873**

Deddeh, Wadie (D-40)
AA: Helen Jones
430 Davidson St.
Chula Vista 92010 (619) 427-7080
3048 State Capitol **(916) 445-6767**

Dills, Ralph (D-30)
AA: Polly Gardener
16921 S. Western Ave., #201
Gardena 90247 (213) 324-4969
5050 State Capitol **(916) 445-5953**

Doolittle, John (R-1)
AA: Stan Deverol
720 Sunrise Ave., #110-D
Roseville 95678 (916) 969-8232
5082 State Capitol **(916) 445-5788**

Ellis, Jim (R-39)
AA: Liz Dahl
2755 Navajo Rd.
El Cajon 92020 (619) 464-7204
4053 State Capitol **(916) 445-3952**

Garamendi, John (D-5)
AA: Masako Dolan
31 East Channel St.
Stockton 95202 (209) 948-7930
4081 State Capitol **(916) 445-2407**

Greene, Bill (D-27)
AA: Richard Harris
8514 South Broadway
Los Angeles 90003 (213) 620-5600
4035 State Capitol **(916) 445-2104**

Greene, Leroy (D-6)
AA: Patricia Blakeslee
P.O. Box 254646
Sacramento 95825 (916) 481-6540
3082 State Capitol **(916) 445-7807**

Hart, Gary (D-18)
AA: Joe Caves
1216 State St., #507
Santa Barbara 93101 (805) 966-1766
2057 State Capitol **(916) 445-5405**

Keene, Barry (D-2)
AA: Kathleen Hamilton
631 Tennessee St.
Vallejo 94590 (707) 648-4080
313 State Capitol **(916) 445-3375**

Kopp, Quentin (I-8)
AA: Barbara Katz
363 El Camino Real
S. San Fran. 94080 (415) 952-5666
4076 State Capitol **(916) 445-0503**

Lockyer, Bill (D-10)
AA: Matthew Newman
22300 Foothill Blvd., #415
Hayward 94541 (415) 582-8800
2032 State Capitol **(916) 445-6671**

Maddy, Ken (R-14)
AA: Joanne Slinkard
3433 West Shaw Ave., #119
Fresno 93711 (209) 445-5667
3056 State Capitol **(916) 445-9600**

Marks, Milton (D-3)
AA: Sherry Geiogue
350 Mc Allister St.
San Francisco 94102 (415) 557-1437
5035 State Capitol **(916) 445-1412**

McCorquodale, Dan (D-12)
AA: Lee Sturtevant
100 Paseo de San Antonio
San Jose 95113 (408) 277-1470
4032 State Capitol **(916) 445-3104**

Mello, Henry (D-17)
AA: Eva Nelson
1200 Aguajito Rd.
Monterey 93940 (408) 373-0773
5108 State Capitol **(916) 445-5843**

Montoya, Joseph (D-26)
AA: Manuel Zamorano
11001 Valley Mall, #204
El Monte 91731 (818) 575-6956
5064 State Capitol **(916) 445-3386**

Morgan, Rebecca (R-11)
AA: John Glidden
830 Menlo Ave., #100
Menlo Park 94025 (415) 321-1451
4090 State Capitol **(916) 445-6747**

Nielsen, Jim (R-4)
AA: Jim Kjol
1074 East Ave., Suite N
Chico 95926 (916) 343-3546
305 State Capitol **(916) 445-3353**

Petris, Nicholas (D-9)
AA: Felice Tannenbaum
1111 Jackson St., Suite #7016
Oakland 94607 (415) 464-1333
5080 State Capitol **(916) 445-6577**

Presley, Robert (D-36)
AA: Carla Anderson
3600 Lime St.
Riverside 92501 (714) 782-4111
4048 State Capitol **(916) 445-9781**

Richardson, H.L. (R-25)
AA: Michael Carrington
211 S. Glendora Blvd., Suite C
Glendora 91740 (818) 914-5855
3063 State Capitol **(916) 445-3688**

Robbins, Alan (D-20)
AA: Terry Burns
6150 Van Nuys Blvd., #400
Van Nuys 91401 (818) 901-5555
5114 State Capitol **(916) 445-3121**

Roberti, David (D-23)
AA: Mel Assagi
3800 Barham Blvd., Suite #218
Hollywood 90068 (213) 876-5200
205 State Capitol **(916) 445-8390**

Rogers, Don (R-16)
AA: Beverly Cail
1326 H St.
Bakersfield 93301 (805) 395-2927
5052 State Capitol **(916) 445-6637**

Rosenthal, Herschel (D-22)
AA: Barbara Kelly
1950 Sawtelle Blvd., Suite #210
Los Angeles 90025 (213) 479-5588
4070 State Capitol **(916) 445-7928**

Royce, Edward (R-32)
AA: Joan Bates
1661 N. Raymond Ave. #211
Anaheim 92801 (714) 871-0270
3074 State Capitol **(916) 445-5831**

Russell, Newton (R-21)
AA: Kay Lentz
401 North Brand Blvd., Suite #424
Glendale 91203 (818) 247-7021
5061 State Capitol **(916) 445-5976**

Seymour, John (R-35)
AA: Laurie Hansen
2150 Towne Center Place, #205
Anaheim 92806 (714) 385-1700
5087 State Capitol **(916) 445-4264**

Torres, Art (D-24)
AA: Elizabeth Bonbright
548 S. Spring St., #500
Los Angeles 90013 (213) 627-5333
2080 State Capitol **(916) 445-3456**

Vuich, Rose Ann (D-15)
AA: Jim Collin
120 West Tulare
Dinuba 93618 (209) 591-5005
5066 State Capitol **(916) 445-4641**

Watson, Diane (D-28)
AA: Jim Lott
4401 Crenshaw Blvd., #300
Los Angeles 90043 (213) 295-6655
4040 State Capitol **(916) 445-5215**

The 33rd Senate District is currently vacant due to the resignation of Democrat Paul Carpenter, who was elected to the State Board of Equalization. A special primary election will be held in the 33rd District on March 17th. The special general election will be held on May 12th.

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Majority Floor Leader: Tom Hannigan (D)
Minority Floor Leader: Patrick Nolan (R)
Democratic Caucus Chairwoman: Maxine Waters
Republican Caucus Chairman: Gerald Felando

Pat Nolan

Agnos, Art (D-16)
AA: Claude Everhart
350 McAllister St. #1064
San Francisco 94102 (415) 557-2253
3151 State Capitol **(916) 445-8253**

Allen, Doris (R-71)
AA: Donna Burke
5911 Cerritos Ave.
Cypress 90630 (714) 821-1500
5126 State Capitol **(916) 445-6233**

Areias, Rusty (D-25)
AA: Leslie Medina
140 Central Ave.
Salinas 93901 (408) 422-4344
4139 State Capitol **(916) 445-7380**

Bader, Charles (R-65)
AA: Laura Walker
203 West G St.
Ontario 91762 (714) 983-6011
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Baker, William (R-15)
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1676 N. California Blvd., Suite #690
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3013 State Capitol **(916) 445-8528**

Bane, Tom (D-40)
AA: Linda Roper
5430 Van Nuys Blvd., #206
Van Nuys 91401 (818) 986-8090
3152 State Capitol **(916) 445-3134**

Bates, Tom (D-12)
AA: Amy Strassberg
1414 Walnut St.
Berkeley 94709 (415) 540-3176
2188 State Capitol **(916) 445-7554**

Bradley, Bill (R-76)
Secretary: Barbara Down
125 W. Mission Ave. Suite 101
Escondido 92025 (619) 489-8924
5140 State Capitol **(916) 445-8211**

Bronzan, Bruce (D-31)
AA: Hilary Ross
2115 Kern St., Suite 205
Fresno 93721 (209) 445-5532
448 State Capitol **(916) 445-8514**

Brown, Dennis (R-58)
AA: Bill Bailey
1945 Palo Verde Ave., #203
Long Beach 90815 (213) 493-5514
2170 State Capitol **(916) 445-8492**

Brown, Willie Jr. (D-17)
AA: Anne Kelly
540 Van Ness Ave.
San Francisco 94102 (415) 557-0784
219 State Capitol **(916) 445-8077**

Calderon, Charles (D-59)
AA: Michael Burns
1712 W. Beverly Blvd., #202
Montebello 90640 (213) 721-2904
4171 State Capitol **(916) 445-0854**

Campbell, Robert (D-11)
AA: Pamela O'Brien
2901 MacDonald Ave.
Richmond 94804 (415) 237-8171
4162 State Capitol **(916) 445-7890**

Chacon, Peter (D-79)
AA: Marc Sanchez
1129 G St.
San Diego 92101 (619) 232-2405
5119 State Capitol **(916) 445-7610**

Chandler, Chris (R-3)
AA: Dan Peltissier
1227 Bridge St., Suite E
Yuba City 95991 (916)
4167 State Capitol **(916) 445-7298**

Clute, Steve (D-68)
AA: Dan Boatwright Jr.
3600 Lime St., #716
Riverside 92501 (714) 782-3222
4167 State Capitol **(916) 445-5416**

Condit, Gary (D-27)
AA: Mike Lynch
948 11th St., Suite 10
Modesto 95354 (209) 576-6211
2141 State Capitol **(916) 445-8570**

Connelly, Lloyd (D-6)
AA: Peter Troast
2705 K St., Suite 6
Sacramento 95816 (916) 443-1183
2179 State Capitol **(916) 445-2484**

Cortese, Dominic (D-24)
AA: Casey Sparks
100 Paseo de San Antonio, #300
San Jose 95113 (408) 269-6500
6031 State Capitol **(916) 445-8243**

Costa, Jim (D-30)
AA: Terry Reardon
1111 Fulton Mall, #914
Fresno 93721 (209) 264-3078
2111 State Capitol **(916) 445-7558**

Duplissea, William (R-20)
AA: Carol Miethke
666 Elm St., 2nd floor
San Carlos 94070 (415) 591-5544
5136 State Capitol **(916) 445-8188**

Eastin, Delaine (D-18)
AA: Mary Jo Rossi
39245 Liberty St., Suite M
Fremont 94538 (415) 791-2151
2013 State Capitol **(916) 445-7874**

Eaves, Gerald (D-66)
AA: Debbie Beltram
241 East Baseline, Suite D
Rialto 92376 (714) 820-1902
4121 State Capitol **(916) 445-4843**

Elder, Dave (D-57)
AA: Nathan Manske
245 West Broadway, Suite 300
Long Beach 90802 (213) 590-5009
4126 State Capitol **(916) 445-7454**

Farr, Sam (D-28)
AA: Fred Keeley
1200 Aguajito
Monterey 93940 (408) 646-1980
3120 State Capitol **(916) 445-8496**

Felando, Gerald (R-51)
AA: Elise Mazlum
3838 Carson St ., Suite #110
Torrance 90503 (213) 540-2123
5155 State Capitol **(916) 445-7906**

Ferguson, Gil (R-70)
AA: Cathy Pirie
4667 MacArthur Blvd. #305
Newport Beach 92660 (714) 756-0665
2016 State Capitol **(916) 445-7222**

Filante, William (R-9)
AA: John Bovee
30 N. San Pedro Rd., #135
San Rafael 94903 (415) 479-4920
5175 State Capitol **(916) 445-7827**

Floyd, Richard (D-53)
AA: Georgia King
16921 S Western Ave #220
Gardena 90247 (213) 516-4037
3091 State Capitol **(916) 445-0965**

Frazee, Robert (R-74)
AA: Richard Ledford
3088 Pio Pico Drive, #200
Carlsbad 92008 (619) 434-1749
3141 State Capitol **(916) 445-2390**

Friedman, Terry (D-43)
AA: Elsie Gee
18321 Ventura Blvd., #655
Tarzana 91356 (818) 672-4520
2091 State Capitol **(916) 445-4956**

Frizzelle, Nolan (R-69)
AA: Anita Martin
17195 Newhope #201
Fountain Valley 92708 (714) 662-5503
3098 State Capitol **(916) 445-8377**

Grisham, Wayne (R-63)
AA: Lisa Lehman
13710 Studebaker Rd., #202
Norwalk 90650 (213) 929-1796
4017 State Capitol **(916) 445-6047**

Hannigan, Tom (D-4)
AA: Annette Prorini
844 Union Ave., Suite A
Fairfield 94533 (707) 429-2383
3104 State Capitol **(916) 445-8368**

Hansen, Bev (R-8)
AA: Joanne Hussey
50 Santa Rosa Ave., #205
Santa Rosa 95401 (707) 546-4500
5144 State Capitol **(916) 445-8102**

Harris, Elihu (D-13)
AA: Jon Waldie
1111 Jackson St., #5027
Oakland 94607 (415) 464-0339
6005 State Capitol **(916) 445-7442**

Harvey, Trice (R-33)
AA: Darla Atwood
2222 E St., Suite 3
Bakersfield 93301 (805) 324-3300
4015 State Capitol **(916) 445-8498**

Hauser, Dan (D-2)
AA: Luke Breit
1334 Fifth St., Suite G
Eureka 95501 (707) 445-7014
3130 State Capitol **(916) 445-8360**

Hayden, Tom (D-44)
AA: Christopher Wiley
1337 Santa Monica Mall, #313
Santa Monica 90401 (213) 393-2717
2196 State Capitol **(916) 445-1676**

Hill, Frank (R-52)
AA: Cindy Judy
15111 E Whittier Blvd, #385
Whittier 90603 (213) 945-7681
5156 State Capitol **(916) 445-7550**

Hughes, Teresa (D-47)
AA: Joseph Hew Len
3375 S. Hoover St., #F
Los Angeles 90007 (213) 747-7451
4016 State Capitol **(916) 445-7498**

Isenberg, Phil (D-10)
AA: Alison Harvey
1215 15th St., Suite 102
Sacramento 95814 (916) 324-4676
2148 State Capitol **(916) 445-1611**

Johnson, Ross (R-64)
AA: Susie Swatt
1501 N. Harbor Blvd, #201
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Johnston, Pat (D-26)
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Katz, Richard (D-39)
AA: Kathy Fletcher
9140 Van Nuys Blvd, #109
Panorama City 91402 (818) 894-3671
3146 State Capitol **(916) 445-1616**

Kelley, David (R-73)
AA: Nancy Lucchesi
6840 Indiana Ave., Suite #150
Riverside 92506 (714) 369-6644
4116 State Capitol **(916) 445-7852**

Killea, Lucy (D-78)
AA: Kathy Krause
2550 5th Ave., #1020
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LaFollette, Marian (R-38)
AA: Ron Kester
11145 Tampa Ave., #17a
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5150 State Capitol **(916) 445-8366**

Lancaster, Bill (R-62)
AA: Bill Nunes
145 East Badillo Str.
Covina 91723 (818) 332-6271
5158 State Capitol **(916) 445-9234**

Leonard, William (R-61)
AA: Joan Christensen
1323 W. Colton Ave., Suite 101
Redlands 92373 (714) 798-4242
2130 State Capitol **(916) 445-7552**

Leslie, Tim (R-5)
AA: Jan Prichard
1098 Melody Lane, Suite 101
Roseville 95678 (916) 969-3660
2176 State Capitol **(916) 445-4445**

Lewis, John (R-67)
AA: Alex Armstrong
1940 N. Tustin #102
Orange 92665 (714) 998-0980
5164 State Capitol **(916) 445-2778**

Longshore, Richard (R-72)
AA: Earlene Arnold
14550 Magnolia St., Suite 201
Westminster 92683 (714) 895-4334
446 State Capitol **(916) 445-7333**

Margolin, Burt (D-45)
AA: Karen Yamamoto
8425 West 3rd St., #406
Los Angeles 90048 (213) 655-9750
6011 State Capitol **(916) 445-7440**

McClintock, Tom (R-36)
AA: Vacant
Paseo Camarillo
350 N. Lantana, Suite #222
Camarillo 93010 (805) 987-9797
4102 State Capitol **(916) 445-7402**

Mojonnier, Sunny (R-75)
AA: Shirley Schlerber
3368 Governor Drive, Suite C
San Diego 92122 (619) 457-5775
4005 State Capitol **(916) 445-2112**

Molina, Gloria (D-56)
AA: Jane Windes
5261 E. Beverly Blvd.
Los Angeles 90022 (213) 721-5557
4153 State Capitol **(916) 445-1670**

Moore, Gwen (D-49)
AA: Amy King
3731 Stocker St., #106
Los Angeles 90008 (213) 292-0605
2117 State Capitol **(916) 445-8800**

Mountjoy, Richard (R-42)
AA: Cecilia Ward
406 South 1st Ave.
Arcadia 91006 (213) 446-3134
2175 State Capitol **(916) 445-7234**

Nolan, Patrick (R-41)
AA: Vacant
143 S. Glendale Ave. #208
Glendale 91205 (818) 240-6330
2114 State Capitol **(916) 445-8364**

O'Connell, Jack (D-35)
AA: Donna Wetterer-Payne
127 El Paseo, Studio 127
Santa Barbara 93101 (805) 966-2296
4158 State Capitol **(916) 445-8292**

Peace, Steve (D-80)
430 Davidson St., #B
Chula Vista 92010 (619) 426-1617
4140 State Capitol **(916) 445-7556**

Polanco, Richard (D-55)
AA: Joey Fazio
5200 York Blvd.
Los Angeles 90042 (213) 255-7111
4177 State Capitol **(916) 445-7587**

Quackenbush, Charles (R-22)
Leg.Secretary: Kim Weideman
456 El Paseo de Saratoga
San Jose 95130 (408) 446-4114
4164 State Capitol **(916) 445-8305**

Roos, Michael (D-46)
AA: John Hendricks
625 S. New Hampshire Ave.
Los Angeles 90005 (213) 386-8042
3160 State Capitol **(916) 445-7644**

Seastrand, Eric (R-29)
Leg. Secretary: Vacant
1012 Mill St.
San Luis Obispo 93401 (805) 549-3381
4144 State Capitol **(916) 445-7795**

Sher, Byron (D-21)
AA: Kip Lipper
785-C Castro St.
Mountain View 94041 (415) 961-6031
2136 State Capitol **(916) 445-7632**

Speier, Jackie (D-19)
AA: vacant
510 Myrtle Ave., Suite 107
South San Fran 94080 (415) 871-4100
3132 State Capitol **(916) 445-8020**

Statham, Stan (R-1)
AA: Pat Murphy
429 Red Cliff Drive, #200
Redding 96002 (916) 223-6300
4098 State Capitol **(916) 445-7266**

Stirling, Larry (R-77)
AA: Walter Slater
7777 Alvarado Road, #377
La Mesa 92041 (619) 237-7777
2137 State Capitol **(916) 445-6161**

Tanner, Sally (D-60)
Secretary: Rita Snykers
11100 Valley Blvd., Suite 106
El Monte 91731 (818) 442-9100
4146 State Capitol **(916) 445-7783**

Tucker, Curtis (D-50)
AA: Tracey St. Julien
1 Manchester Blvd.
Inglewood 90306 (213) 412-6400
2158 State Capitol **(916) 445-7533**

Vasconcellos, John (D-23)
AA: Joanna Cadwallader
100 Paseo de San Antonio Sutie 106
San Jose 95113 (408) 288-7515
6026 State Capitol **(916) 445-4253**

Waters, Maxine (D-48)
AA: Sandra Simpson
7900 South Central Ave.
Los Angeles 90001 (213) 582-7371
5016 State Capitol **(916) 445-2363**

Waters, Norman (D-7)
AA: Ron Lawton
250 Main St.
Placerville 95667 (916) 626-4954
6028 State Capitol **(916) 445-8343**

Wright, Cathie (R-37)
AA: Jamie Kahn
250 East Easy St., #7
Simi Valley 93065 (805) 522-2920
4117 State Capitol **(916) 445-7676**

Wyman, Phil (R-34)
AA: Bill Lewis
5393 Truxtun Ave.
Bakersfield 93309 (805) 395-2673
5135 State Capitol **(916) 445-3266**

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Vice chairman: Mello (D)
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Democrats: McCorquodale, Montoya, Presley, Vuich
Republicans: Bergeson, Craven, Doolittle, Nielsen, Rogers
Phone 445-2206, Room 2090

Appropriations
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Vice chairman: Beverly (R)
Staff director: Karen French
Democrats: Alquist, Ayala, Deddeh, Dills, Keene
Republicans: Campbell, Maddy
Phone: 445-3284, Room 2206

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Vice chairman: Russell (R)
Consultant: Terry Miller
Democrats: Boatwright, Deddeh, L.Greene, Keene, Mello, Montoya, Robbins
Republicans: Beverly, Davis

Budget and Fiscal Review
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Vice chairman: Seymour (R)
Staff director: Steve Larson
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Republicans: Bergeson, Ellis, Nielsen
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Business and Professions
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Vice chairman: Doolittle (R)
Consultant: Amiel Jaramillo
Democrats: L.Greene, Marks, McCorquodale, Rosenthal, Watson
Republicans: Craven, Royce
Phone: 445-3435, Room 5046

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Vice chairman: Hart (D)
Consultant: Lou Bromley
Democrats: Alquist, McCorquodale
Republican: Davis
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Vice chairwoman: Morgan (R)
Consultant: William Whiteneck
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Republicans: Bergeson, Davis, Seymour
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Vice chairman: Craven (R)
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Republicans: Ellis, Richardson
Phone: 445-2601, Room 4032

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Vice chairman: Russell (R)
Consultant: Paul Fadelli
Democrats: Alquist, Garamendi, L.Greene,

Senate Committee Schedule

Monday	Time
Appropriations	9:30 AM
Business and Professions**	1:30 PM
Public Employment and Retirement*	1:30 PM
Toxics and Public Emergencies**	1:30 PM
Tuesday	
Agriculture and Water Resources*	9:30 AM
Constitutional Amendments**	9:30 AM
Energy and Public Utilities**	1:30 PM
Governmental Organization	9:30 AM
Housing and Urban Affairs*	9:30 AM
Judiciary	1:30 PM
Natural Resources and Wildlife**	9:30 AM
Transportation*	1:30 PM
Wednesday	
Banking and Commerce**	1:30 PM
Education	9:30 AM
Elections*	9:30 AM
Health and Human Services	1:30 PM
Industrial Relations**	9:30 AM
Insurance, Claims and Corporations*	1:30 PM
Local Government	9:30 AM
Revenue and Taxation*	1:30 PM
Rules	1:30 PM
Thursday	
Budget and Fiscal Review	1:30 PM

Committees meet every week except as noted:
* Meets first and third week of the month
** Meets second and fourth week of the month

Assembly Committee Schedule

Monday	
Agriculture*	2:00 PM
Housing and Community Development**	2:00 PM
Natural Resources**	2:00 PM
Public Safety	2:00 PM
Revenue and Taxation*	2:00 PM
Rules	3:00 PM
Utilities and Commerce*	2:00 PM
Tuesday	
Aging and Long Term Care*	9:00 AM
Economic Development and New Technologies*	9:00 AM
Finance and Insurance	9:00 AM
Governmental Organization*	9:00 AM
Education*	2:00 PM
Environmental Safety and Toxic Materials**	2:00 PM
Governmental Efficiency and Consumer Protection*	2:00 PM
Health*	2:00 PM
Public Employees, Retirement and Social Security**	2:00 PM
Wednesday	
Human Services*	9:00 AM
Labor and Employment**	9:00 AM
Veterans Affairs*	9:00 AM
Ways and Means	9:00 AM
Elections, Reapportionment and Constitutional Amendments*	2:00 PM
Intergovernmental Relations and International Trade**	2:00 PM
Judiciary**	2:00 PM
Local Government**	2:00 PM
Transportation*	2:00 PM
Water, Parks and Wildlife	2:00 PM

Committees meet every week as noted.
* Meets first and third weeks of the month.
** Meets second and fourth weeks of the month.

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Hart, Mello, Montoya
Republican: Morgan
Phone: 445-9765, Room 2035

Governmental Organization
Chairman: Dills (D)
Vice chairman: Campbell (R)
Consultant: Lindsay Miller
Democrats: Alquist, Garamendi, B.Greene, Keene, Lockyer, Rosenthal, Torres
Republicans: Beverly, Maddy
Phone: 445-1193, Room 5048

Health and Human Services
Chairwoman: Watson (D)
Vice chairman: Maddy (R)
Consultant: Jim Lott
Democrats: McCorquodale, Mello, Montoya, Rosenthal, Torres
Republicans: Campbell, Royce
Phone: 445-5965, Room 2191

Housing and Urban Affairs
Chairman: L.Greene (D)
Vice chairman: Petris (D)
Consultant: Krist Lane
Democrats: Lockyer, Torres
Independent: Kopp
Republican: Royce
Phone: 445-8740, Room 2205

Industrial Relations
Chairman: B.Greene (D)
Vice chairman: Campbell (R)
Consultant: Casey Young
Democrats: L.Greene, Lockyer, Montoya, Petris, Rosenthal
Republicans: Maddy, Royce
Phone: 445-1237, Room 4039

Insurance, Claims and Corporations
Chairman: Robbins (D)
Vice chairman: Deddeh (D)
Consultant: Sheldon Davidow
Democrat: Keene
Republicans: Davis, Doolittle, Royce
Phone: 445-0825, Room 5122

Judiciary
Chairman: Lockyer (D)
Vice chairman: Davis (R)
Counsels: Schmidt, Wong, Wynne, LaBrie, Taylor
Democrats: Keene, Marks, Petris, Presley, Roberti, Torres, Watson
Republicans: Doolittle, Richardson
Phone: 445-5957, Room 2187

Local Government
Chairwoman: Bergeson (R)
Vice chairwoman: Vuich (D)
Consultant: Peter Detwiler
Democrat: Ayala
Independent: Kopp
Republicans: Craven, Russell
Phone: 445-9748, Room 2085

Natural Resources and Wildlife
Chairman: Presley (D)
Vice chairman: Richardson (R)
Consultant: Jeff Arthur
Democrats: Garamendi, Hart, Marks, McCorquodale, Mello
Republicans: Nielsen, Rogers
Phone: 445-5441, Room 2031

Public Employment and Retirement
Chairman: McCorquodale (D)
Vice chairman: Royce (R)
Consultant: David Felderstein
Democrat: Watson
Republicans: Dills, Rogers
Phone: 445-8958, Room 2203

Revenue and Taxation
Chairman: Garamendi (D)
Vice chairman: Ellis (R)
Consultant: Martin Helmke
Democrats: Ayala, Boatwright, Lockyer, Petris
Independent: Kopp
Republicans: Morgan, Seymour
Phone: 445-3808, Room 2195

Rules
Chairman: Roberti (D)
Vice chairman: Craven (R)
Executive officer: *Cliff Berg*
Democrats: Mello, Petris
Republican: Doolittle
Phone: 445-4311, Room 400

Toxics and Public Emergencies
Chairman: Torres (D)
Vice chairman: Seymour (R)
Consultant: Bob Fredenburg
Democrats: Lockyer, Presley, Rosenthal
Independent: Kopp
Republican: Nielsen
Phone: 324-0894, Room 2080

Transportation
Chairman: Deddeh (D)
Vice chairman: *Ellis (R)*
Staff director: Mehdi Morshed
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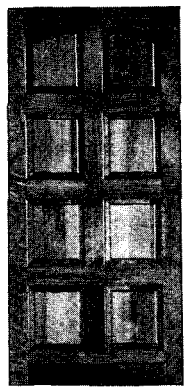

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LEGISLATIVE CALENDAR 1987-88

February 6 — Last day to submit bill requests to the legislative counsel's office.
March 6 — Last day for bills to be introduced.
April 9 — Easter Recess begins at the end of this day's session.
April 20 — Legislature reconvenes.
May 8 — Last day for policy committees to report fiscal bills to fiscal committees.
May 22 — Last day for policy committees to report non-fiscal bills to floor.
June 12 — Last day for policy committee hearings prior to June 29th.
June 15 — Budget must be passed by midnight.
June 19 — Last day for fiscal committees to report bills prior to June 29th; last day for any committee to meet prior to June 29th.
June 26 — Last day for bills to pass house of origin.
June 29 — Committee meetings may resume.
July 17 — Last day for policy committees to report other house's fiscal bills to fiscal committees; Summer Recess begins at the end of this day's session if the Budget Bill has been enacted.
August 17 — Legislature reconvenes.
August 21 — Last day for policy committees to meet and report bills.
August 28 — Last day for any committee to meet and to report bills to the floor.
September 11 — Interim Study Recess begins at the end of this day's session.
October 2 — Bills enacted on or before this date take effect on January 1, 1988.

ASSEMBLY STANDING COMMITTEES

Aging and Long Term Care
Chairman: Connelly (D)
Vice chairwoman: Hansen (R)
Consultant: Tom Porter
Democrats: Agnos, Bates, Friedman, Hayden, Roos
Republicans: Allen, Bradley, Filante
Phone: 445-8688, 1100 J St., Room 505

Agriculture
Chairman: N.Waters (D)
Vice chairman: Jones (R)
Consultant: Mike Falasco
Democrats: Areias, Clute, Condit, Cortese, Johnston
Republicans: Chandler, Hansen, Kelley, Seastrand
Phone: 445-1918, Room 6028

Economic Development and New Technologies
Chairman: Farr (D)
Vice chairman: Quackenbush (R)
Consultant: Tim Masanz
Democrats: Eastin, Hauser, Killea, Speier, Vasconcellos
Republicans: Duplissea, Frazee, Harvey
Phone: 445-0424, Room 3120

Education
Chairwoman: Hughes (D)
Vice chairman: Bader (R)
Consultant: James Turner
Democrats: Campbell, Clute, Farr, Friedman, Hayden, Johnston, O'Connell, Vasconcellos
Republicans: Bradley, LaFollette, Leonard, Longshore, Quackenbush, Statham
Phone: 445-9431, Room 4016

Elections and Reapportionment
Chairman: Chacon (D)
Vice chairman: Mountjoy (R)
Consultant: Barbara Milman
Democrats: Bane, Condit, Elder, Klehs, Margolin
Republicans: Baker, D. Brown, Lewis
Phone: 322-5249, Room 5119

Environmental Safety and Toxic Materials
Chairwoman: Tanner (D)
Vice chairwoman: LaFollette (R)
Consultant: Arnold Peters
Democrats: Connelly, Eastin, Hayden, Killea, Sher, Speier
Republicans: Bader, Bradley, Felando, Kelley, Wright
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Finance and Insurance
Chairman: Johnston (D)
Vice chairman: Johnson (R)
Consultant: William George
Democrats: Bane, Bronzan, Calderon,

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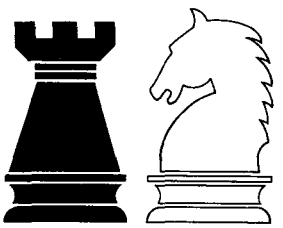

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TYPES OF LEGISLATION

Bills can create new state laws and/or repeal or adjust existing state laws. Depending upon the house of origin, they are referred to as Assembly Bills or Senate Bills, followed by a number (for example, AB 13, SB 132). Bill numbers remain the same during the Legislature's two-year, biennial session.

Constitutional amendments, also called "bills," actually are resolutions proposing constitutional changes to the electorate. They require a two-thirds majority in each house to qualify for the ballot and are referred to as SCAs or ACAs.

Concurrent resolutions are used to adopt joint rules, create joint legislative committees, express legislative intent and commend individuals for public service. They are referred to as ACRs and SCRs.

Joint resolutions express legislative opinion on matters pertaining to the federal government and usually urge passage or defeat of legislation pending before Congress. They are referred to as SJRs or AJRs.

House and Senate resolutions express the sentiment of one house of the Legislature. They usually ask a committee to study a specific problem, create interim committees or amend house rules. Their texts are published in the house *Journal*, and they take effect on their adoption.

KEEPING TRACK OF LEGISLATION

Keeping track of the thousands of bills introduced in the Senate and Assembly every year is a difficult job, even for well-staffed professional lobbies. To do so, they rely heavily on six official legislative guides published daily during the session: the Senate and Assembly *Daily Files*, *Journals* and *Histories*. Single copies of these publications are available free (as are single copies of bills) from the Legislative Bill Room (445-2323).

Daily Files. The *Daily File* for each house is an agenda of the day's business. It lists all measures to be taken up on the floor in the order in which they are to be dealt with, and it also lists all committee hearings and the bills scheduled before each committee. Under provisions established by the Joint Rules Committee of the Assembly and Senate, notice of bills set for hearing by any policy committee or subcommittee of first referral must be published in the *Daily File* for four consecutive calendar days prior to (and including) the day of hearing. Bills subsequently referred to a second policy committee require a notice of hearing to be published for two consecutive calendar days. In addition, the *Daily File* provides an up-to-date list of the membership of all standing committees of each house.

The Daily Journals. This journal, published in each house, contains a "true and correct" account of that chamber's proceedings of the previous day. This includes the titles of all measures introduced, considered or acted upon by each house, the texts of house resolutions, roll calls, messages from the governor and the other house, committee reports, motions and acknowledgement of any communications. Senate committee votes are recorded and published in the Senate *Journal*, but the Assembly reports its committee votes in a separate appendix to the Assembly *Journal*.

The History. Each chamber's *History* shows the action taken on all measures on the file for action that day (except for measures passed on file) and all committee actions on bills. A *Weekly History*, published at the end of each week, summarizes the daily accounts and contains the titles of all measures introduced up to the end of that week, and the committees to which they were assigned, along with any action taken on them and the date on which it was taken.

Legislative Index. At intervals during the session, a *Legislative Index* is published, listing by subject all bills introduced in the Legislature. It also contains a table showing which sections of the constitution and statutes are affected by the measures introduced.

Other publications. Once the Legislature adjourns, the *Daily Journals* are corrected, reprinted and deposited with the secretary of state as a permanent record of each day's proceedings. Each house also publishes a *Final History*, summarizing all legislation introduced and acted upon during the session. This history is indexed and shows which sections of law are affected by the legislation enacted, and whether the changes involved deletions, additions, removals or renumbering.

Chacon, Eaves, Elder, Hughes, Katz, Moore, O'Connell, Peace
Republicans: D. Brown, LaFollette, Lancaster, Lewis, Seastrand, Stirling, Wright, Wyman
Phone: 445-7931, Room 4112

Governmental Efficiency and Consumer Protection
Chairman: Areias (D)
Consultant: Leslie Medina
Democrats: Chacon, Eastin, Hannigan, Sher
Republicans: Frazee, Grisham, Harvey, Stirling
Phone: 324-7440, Room 4139

Governmental Organization
Chairman: Condit (D)
Vice chairman: Hill (R)
Consultant: Mike Lynch
Democrats: Areias, Costa, Cortese, Floyd, Harris, Tanner, Tucker, M. Waters, N. Waters
Republicans: Baker, Frizzelle, Grisham, Mojonnier, Mountjoy, Statham
Phone: 445-3451, Room 2141

Health
Chairman: Tucker (D)
Vice chairman: Felando (R)
Consultant: Paul Press
Democrats: Agnos, Bronzan, Isenberg, Klehs, Margolin, Molina, Moore, Polanco, Speier
Republicans: Allen, Chandler, Ferguson, Filante, Hill, Leslie, Zeltner
Phone: 445-1770, Room 2160

Housing and Community Development
Chairman: Hauser (D)
Vice chairman: Ferguson (R)
Consultant: Michael Krisman
Democrats: Bane, Chacon, Clute, Costa, Elder, Polanco
Republicans: Bader, Grisham, Lewis, Mountjoy
Phone: 445-2320, Room 4001

Human Services
Chairman: Bates (D)
Vice chairman: Leslie (R)
Consultant: Dion Aroner
Democrats: Condit, Friedman, Molina, Speier
Republicans: Allen, Harvey, Quackenbush
Phone: 445-0664, Room 446

Intergovernmental Relations and International Trade
Chairwoman: Killea (D)
Vice chairman: Wyman (R)
Consultant: Vacant
Democrats: Bronzan, Chacon, Condit, Farr, Roos
Republicans: Bradley, Longshore, Wright
Phone: 445-7210, Room 5128

Judiciary
Chairman: Harris (D)
Vice chairman: McClintock (R)
Consultant: Ruben Lopez
Democrats: Connelly, Friedman, Isenberg, Johnston, M. Waters
Republicans: Leslie, Mojonnier, Stirling
Phone: 445-4560, Room 6005

Labor and Employment
Chairman: Floyd (D)
Vice chairwoman: Allen (R)
Consultant: Britton McFetridge

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Democrats: Bane, Bates, Klehs, Molina, Tanner
Republicans: Bradley, Chandler, Duplissea
Phone: 445-2657, Room 3091

Local Government
Chairman: Cortese (D)
Vice chairman: Frazee (R)
Consultant: Casey Sparks
Democrats: Hannigan, Hauser, Molina, N. Waters
Republicans: Hansen, Jones, Kelley, Lancaster
Phone: 445-6034, Room 6031

Natural Resources
Chairman: Sher (D)
Vice chairman: Harvey (R)
Consultant: Kip Lipper
Democrats: Bates, Connelly, Farr, Roos, Speier, M. Waters
Republicans: Hansen, LaFollette, Leonard, Statham
Phone: 445-9367, Room 2136

Public Employees, Retirement and Social Security
Chairman: Elder (D)
Vice chairman: Grisham (R)
Consultant: Dave Cox
Democrats: Calderon, Hughes, Moore, O'Connell, Tucker
Republicans: Frizzelle, Lancaster, Wyman
Phone: 322-4320, Room 4126

Public Safety
Chairman: Stirling (R)
Consultant: Susan Shaw Goodman
Democrats: Campbell, Friedman, Margolin
Republicans: Leslie, Zeltner
Phone: 445-3268, 1100 J St., Room 404

Revenue and Taxation
Chairman: Klehs (D)
Vice chairman: D. Brown (R)
Consultant: Dave Doerr
Democrats: Agnos, Calderon, Cortese, Elder, Floyd, Hannigan, Harris, Sher
Republicans: Bader, Duplissea, Frizzelle, Grisham, McClintock, Quackenbush
Phone: 322-3730, Room 2013

Rules
Chairman: Bane (D)
Vice chairmen: Isenberg (D), Filante (R)
Administrative officer: Bob Connelly
Democrats: Isenberg, Margolin, Peace, O'Connell
Republicans: Filante, Mojonnier, Wright, Mountjoy
Phone: 445-8173, Room 3016

Transportation
Chairman: Katz (D)
Vice chairman: Duplissea (R)
Consultant: John Stevens
Democrats: Areias, Clute, Eastin, Eaves, Harris, Killea, Polanco
Republicans: Ferguson, Frazee, Hansen, Lancaster, Wyman
Phone: 445-7278, Room 3194

Utilities and Commerce
Chairwoman: Moore (D)
Vice chairwoman: Wright (R)
Consultant: Bob Jacobson
Democrats: Eaves, Farr, Hughes, Molina, Peace, Polanco
Republicans: Felando, Hill, Leonard, Longshore
Phone: 445-4246, Room 2117

Veterans Affairs
Chairman: Clute (D)
Vice chairman: Longshore (R)
Consultant: Al Hinojosa
Democrats: Costa, Floyd, Tucker, N. Waters
Republicans: Mojonnier, Statham, Zeltner
Phone: 323-6066, Room 5160

Water, Parks and Wildlife
Chairman: Costa (D)
Vice chairman: Kelley (R)
Consultant: Linda Adams
Democrats: Campbell, Hauser, Isenberg, Peace, Tanner, N. Waters
Republicans: Chandler, Filante, Harvey, Jones
Phone: 445-6164, Room 2003

Ways and Means
Chairman: Vasconcellos (D)
Vice chairman: Baker (R)
Consultant: Samuel Yockey
Democrats: Bronzan, Calderon, Campbell, Eaves, Hannigan, Hayden, Isenberg, Margolin, O'Connell, Peace, Roos, M. Waters
Republicans: D. Brown, Ferguson, Hill, Johnson, Jones, Leonard, Lewis, McClintock, Seastrand
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California's Legislative Process

Initial steps by author

IDEA
Sources of bills: legislators, legislative committees, governor, state and local governmental agencies, business firms, lobbyists, citizens.

DRAFTING
Formal copy of bill and "layman's digest" prepared by Legislative Counsel.

INTRODUCTION
Bill submitted by senator or Assembly member. Numbered and read for first time. Assigned to committee by Assembly or Senate Rules Committee. Printed.

Action in house of origin

COMMITTEE
Testimony taken from author, proponents and opponents. Typical actions: Do pass; amend and do pass; no action; hold in committee (kill); amend and re-refer to same committee; refer to another committee; send to interim study.
Bills with any fiscal implications, if approved by policy committee, are referred to Appropriations Committee in the Senate and to Ways and Means Committee in the Assembly.

SECOND READING
Bills given do-pass recommendations are read a second time and placed on file for debate.

FLOOR DEBATE AND VOTE
Bills are read a third time and debated. A roll-call vote follows. For ordinary bills, 21 votes are needed in the Senate and 41 in the Assembly. For urgency bills and appropriation measures, 27 and 54 votes are required. If these numbers are not reached, the bill is defeated. Any member may seek reconsideration and a second vote. If passed or passed with amendments, the bill is sent to the second house.

Disposition in second house

READING
Bill is read for the first time and referred to committee by the Assembly or Senate Rules Committee.

COMMITTEE
Procedures and possible actions are identical to those in the first house.

SECOND READING
If cleared by committee, the bill is read a second time and placed on the daily file (agenda) for debate and vote.

FLOOR DEBATE AND VOTE
The procedure is identical to the first house. If a bill is passed without having been amended in the second house, it is sent to the governor's desk. (Resolutions are sent to the secretary of state's office.) If amended in the second house and passed, the measure returns to the house of origin for consideration of amendments.

Resolution of two-house differences (if necessary)

CONCURRENCE
The house of origin decides whether to accept the second-house amendments. If the amendments are approved, the bill is sent to the governor. If the amendments are rejected, the bill is placed in the hands of a two-house conference committee composed of three senators and three Assembly members.

CONFERENCE
If the conferees fail to agree, the bill dies. If the conferees present a recommendation for compromise (conference report), both houses vote on the report. If the report is adopted by both, the bill goes to the governor. If either house rejects the report, a second (and even a third) conference committee can be formed.

Role of the governor

SIGN OR VETO?
Within 12 days after receiving a bill, the governor can sign it into law, allow it to become law without his signature or veto it. A vetoed bill returns to the house of origin for possible vote on overriding the veto. It requires a two-thirds majority of both houses to override.

Urgency measures become effective immediately after signing. Others usually take effect the following January 1st.

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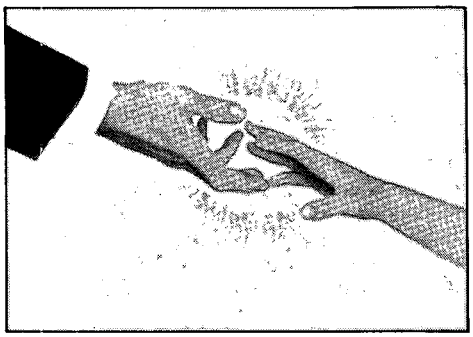

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Exiled from the Capitol, Gray Davis takes control(ler)

By ROBERT GUNNISON

Through the dying light of the rainy winter afternoon, Gray Davis can see the bright, white dome of the Capitol a few blocks away. Aesthetically, the view is a dandy. But politically, Davis doesn't think much of it.

"It's kind of ridiculous to exile me from the realm," complained Davis on his second day as California's new controller. "It's beyond explanation in my mind."

Davis, 44, former assemblyman from Los Angeles and chief of staff for Governor Jerry Brown, wants the controller's office returned from an 18-story office tower one mile down Capitol Mall to the Capitol building where it was until his predecessor, Democrat Ken Cory, ordered the move. But many political observers believe Davis will take another route back to the Capitol — as a Democratic candidate for governor in 1990.

Davis predictably said it is too early to speculate on his career plans but, given his record, it is not unreasonable to assume he will be among a handful of Democrats vying for higher office in the not-too-distant future.

"I don't want to get into that speculative stuff," he said. "If you work hard and do a good job, the office will take care of itself."

Davis sees the job — which for years was considered a political dead end — in sweeping terms. "There's hardly a problem confronting California society in which the controller's office doesn't have something to do," he said. He's had a practical lesson from his former boss, Jerry Brown, in how to make a political office that few thought significant into one that can capture the attention of the electorate. And by the very nature of its role in state government, the controller's office starts with more political resources than did Brown's old niche as secretary of state.

Indeed, as a member of some 30 boards and commissions, Davis will have more platforms than he can handle. But he says he will concentrate on only a few, including the State Lands Commission which regulates coastal land-use issues, and the State Teachers and Public Employees Retirement Systems — two of the biggest pension funds in the nation, with billions of dollars to invest.

As a member of both the Franchise Tax Board and the Board of Equalization, Davis will have a hand in tax policy. And with the constitutional spending limit approved by voters in 1979 complicating the annual state budget fight, Davis sees a special opportunity. He noted that the office of the legislative analyst has said that the Deukmejian administration is already spending more money than allowed by the limit but that the administration has chosen to ignore the news.

Davis said that as the state's chief fiscal officer he hopes to serve "as an honest broker in this dispute," a role that, not incidentally, will give him added public visibility.

Losing faith

He cites the issue as one more reason that the public has lost faith with politicians. "One reason people get so turned off," he says, "is that they never get a straight answer. I think it's a real

Robert Gunnison is a Capitol correspondent for the San Francisco Chronicle.

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Photo by Rich Pedroncelli

turnoff when people see that Sacramento can't speak with one voice."

Even his office building is likely to become an issue for Davis. Cory moved much of his staff of 1300 into the new building — the tallest in Sacramento — late in his tenure. The watchdog Little Hoover Commission strongly criticized Cory for wasting nearly $5 million on the move. As Davis assumed the job, the office still had the chemical odor of newness. Davis insisted that there is no benefit to having his office in the "Emerald Tower," a building that got its nickname from the Coke-bottle green of its glass windows.

"I want to move into the office I thought I was going to get," he groused with a gaze toward the Capitol. He insisted that the rent in the private building for the controller's executive offices is a waste of money. Governor Deukmejian, however, does not appear eager for Davis to return to the Capitol.

Davis understands the symbolic, and practical, value of being in the Capitol itself, where he can be close to the action. No one understands the value of symbols better than Davis.

Joseph Graham Davis broke onto the Sacramento scene as Brown's top aide during his first term. It was Davis who was responsible for putting Brown in the blue Plymouth state pool car that became one of the most enduring symbols of Brown's fiscally conservative administration and persona.

As an administrator, Davis, a former Army captain and Vietnam veteran, had the reputation as a vicious political infighter. He demanded perfection of himself and his staff. Eventually, he became the administration's unofficial but real press secretary. He was easily available on the phone to reporters needing comment or help on administration policy. He tried to speak in perfectly formed sentences that he hoped would be printed just that way.

As Brown campaigned for president, Davis became an even more important figure. He was the person to check with for any important administration business. But beneath the tightly controlled exterior was a political animal yearning for his own job. Before working for Brown, Davis in 1974 challenged Jesse Unruh for the Democratic nomination for treasurer. Unruh easily won and has held the office ever since. Unruh and Davis now will be sitting on a number of state fiscal boards together and political speculation is widespread about how well these two bright politicians with an old grudge will work together. Davis said once before the election that he would be Unruh's "junior partner in the firm." But it's hard to imagine Davis not ready to move to senior status if the opportunity presents itself.

When an Assembly seat opened up in 1982, Davis jumped at the chance to run, and he easily won. As a member of the Assembly, Davis' starchy formality never quite fit in with the easy camaraderie of the Assembly. Another obstacle to acceptance by his peers was the belief among other lawmakers that the Assembly was a brief way-station for Davis who always intended to run for higher office.

The sultan of swag

In addition, Davis was an enormously successful fund- raiser, an ability he has already brought to the controller's office. The weekend before taking office he held a $1000-per- person fund-raising event to retire his campaign debt. Yet some of his old Democratic Assembly cohorts privately grumbled in the past that he did not readily share his money with colleagues who faced tough races.

Instead, Davis worked hard to establish himself and his own issues. His biggest success was with missing children. In 1985 Davis began pressuring grocers, dairies and billboard firms to publish pictures of missing children. While other politicians fumed, either out of skepticism or jealousy, Davis basked in favorable publicity.

He founded the non-profit California Foundation for the Protection of Children, which has recruited more than 300 unions and companies to publicize pictures of missing children. The foundation says 14 children have been found through its efforts.

It was the perfect issue. Who could criticize someone who was trying to reunite children with their parents?

At the same time, Davis' personality was changing, too. He was losing some of his rigid, humorless style. Some credited his wife, Sharon, whom he married in 1983. In a recent interview, for example, Davis was dressed in a black vee-neck sweater, *a la* Dan Rather. He seemed more relaxed and willing to share a story than in the past. Associates said he also slowed down after surgery to remove a growth on the back of his eye.

In his defeat of Republican state Senator William Campbell for the controller's job, Davis showed that he could withstand the rigors of a tough campaign in a heavily Republican year. Campbell painted Davis as a Jerry Brown liberal with connections to a convicted pornographer. But Davis, who out-spent Campbell by a wide margin, won 52 percent of the vote compared with 44 percent for Campbell.

The campaign did remind some Californians that not all aspects of Davis' past are as perfect as his hairstyle and

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grooming. For instance, Davis' finance chairman turned out to be Eugene La Pietra -- a gay millionaire disco owner who had been convicted of federal pornography charges. Once a candidate for the West Hollywood City Council, La Pietra had given Davis $15,000. He was forced out of the finance job by the campaign. But Davis overcame any handicaps put up by Campbell or other opponents with his huge bankroll. He swamped Senator John Garamendi of Walnut Grove and former Assemblyman Alister McAlister of Fremont in the Democratic primary.

Not much patronage

In his new job, Davis has only three appointments to make in the top executive levels of the controller's office. He has chosen three politically savvy people: Noel Gould, who ran his controller's campaign; Jim Tucker, a former consultant with the Assembly Elections and Reapportionment Committee; and Anne Baker, a former Maryland legislator whose spouse is Bill Stall, an editorial writer for the *Los Angeles Times*.

While Davis is circumspect about the future, his inauguration looked like a dress rehearsal for an even bigger production in four years. All the right symbols were present. On hand were a children's chorus, a priest who specializes in the homeless, a Vietnam veteran, a rabbi who is also chaplain for the Los Angeles Police Department, and a black minister from the San Francisco Bay Area. Davis was introduced by Los Angeles' Democratic Senator Art Torres.

The chairman of his inauguration was Albert Gersten, a Los Angeles industrialist and prominent contributor to Democrats. "There is no question," Gersten told a reporter, "that when a person seeks an office like controller he does it for a purpose. I think you want someone who has a future because that person will do a better job."

The same idea was put a bit differently later in the day by Treasurer Unruh after he took the oath of office for a fourth time. Unruh said he was adding one more job to his already long list of responsibilities. "I agreed to oversee Gray Davis," the treasurer said, and, pointing to Assembly Speaker Willie Brown, added, "And you agreed to help."

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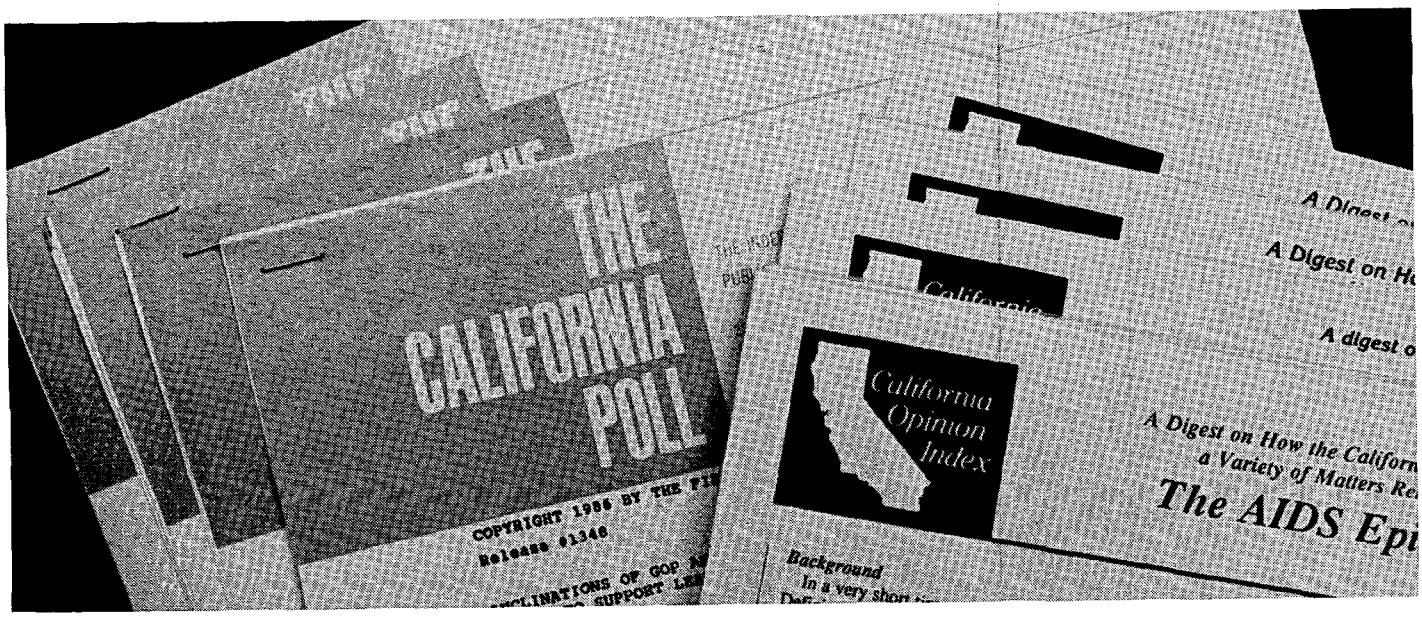

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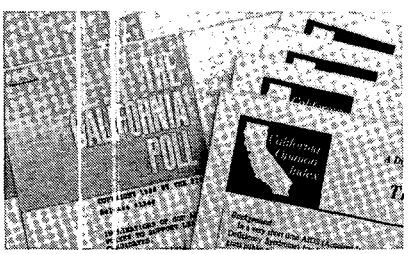

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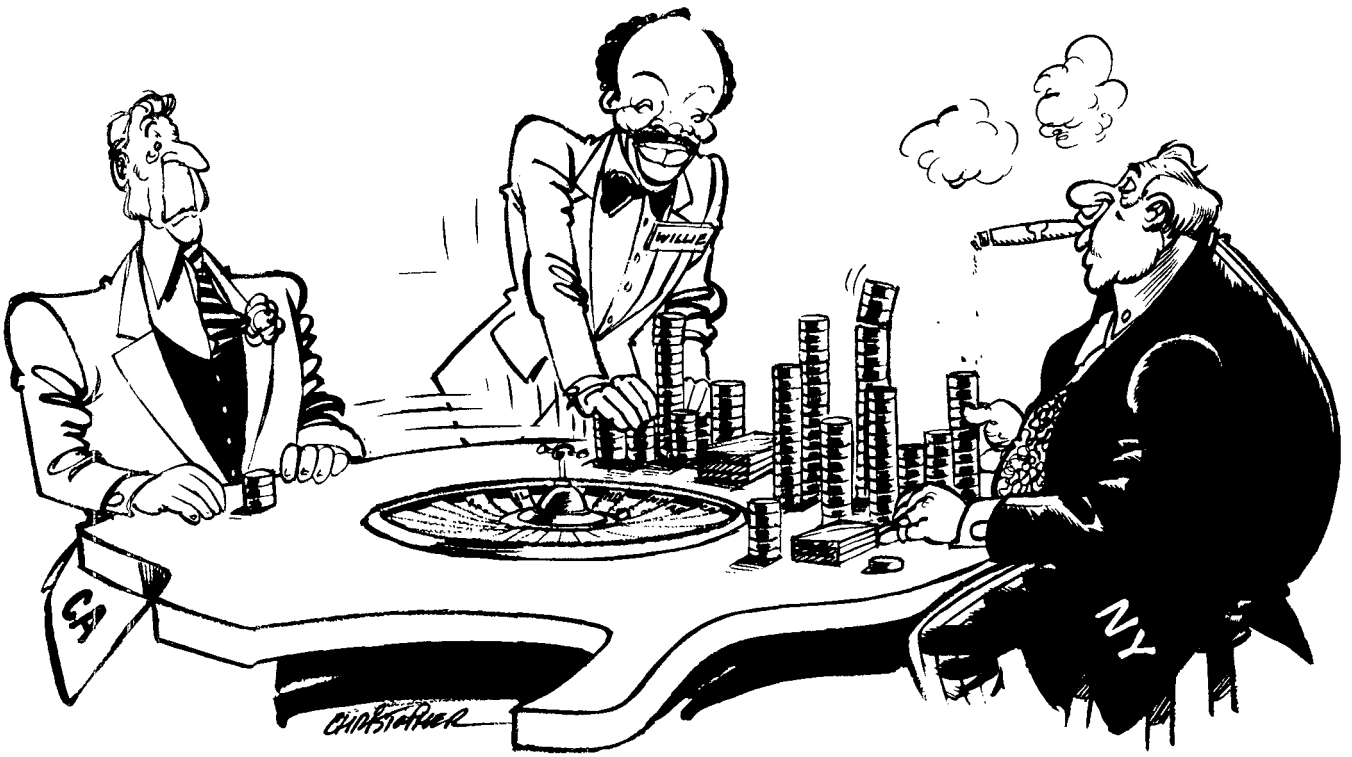

Breaking the banks

Interstate banks move into California

By NIELS ERCH

"It was an exercise in fund raising, not an exercise in good government."

— Leonard Shane, Chairman, Mercury Savings, on California's new interstate banking law

"If you have equal money coming from both sides, then there's an opportunity to do the right thing."

— Assemblyman Charles Calderon

Almost everyone can recall a banking horror story — of overdraft notices when money was in the account, 15-day holds on checks, the manager who couldn't solve a simple but costly problem because of bureaucratic bank policy.

Pressed further, most bank customers probably wouldn't mind a little more competition — or a little more regulation — to keep fees and credit card interest rates down and maybe even improve service. Yet in the final days of the 1985-86 legislative session, the pair of interstate banking bills ultimately signed into law by Governor George Deukmejian did remarkably little to spark the public imagination.

They should have.

Beginning in July, banks and savings and loans in 12 Western states will be permitted to enter California and buy up financial institutions here for purposes of taking deposits and making loans, provided their states reciprocate. As of January 1991, the privilege will be extended nationwide.

Interstate banking supporters had backed the proposal in the hope that the legislation would drive down credit card rates and bank fees. In fact, interstate banking legislation has been a big bank vs. big bank issue — New York giants like Citicorp and Chase Manhattan that want to buy into the $500 billion California deposit market versus large California banks that don't want them here.

It was a duel fought, in a large part, with money. More than $600,000 in reported contributions was delivered during the last session alone by three banks (Citicorp, Chase, and Bank of America), the California Bankers Association (CBA) and the California League of Savings Institutions. The donations picked up as the interstate compromise package gained momentum. Another $230,000 was pledged to 80 legislators by the CBA's political action committee on August 27th, the day before the full Senate and Assembly voted on interstate banking, prompting a complaint by consumer groups to Attorney General John Van de Kamp and the Fair Political Practices Commission.

A new bill, introduced this session by Assembly Speaker Willie Brown would permit banks outside the Western region to enter California before 1991 in order to bid for Bank of America, threatens to open up the arguments — and the contributing — all over again. It has also raised tough questions about whether the Legislature is encouraging a kind of banking deregulation that is, in the long run, good for businesses and consumers in the state.

continued next page

Niels Erch is a freelance writer from San Francisco.

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"We were quite disappointed in the compromise," says Judith Bell, a policy analyst with Consumers Union. "We saw it as selling out California at bargain-basement prices. We saw legislators acting as mediators between large banking interests instead of acting as policymakers."

History lesson

To understand what is at stake, some history is helpful. A federal law designed to limit nationwide bank concentration of power — the 1956 Bank Holding Company Act — prevents financial institutions from crossing state lines to acquire banks unless the state they're entering permits it by law. Since 1979, several New York banks — Citicorp, Chase and Chemical Bank — have pressed for authority to enter California, acquire existing banks and S&Ls, and be able to take deposits as well as make loans.

California has the nation's largest state banking system, with some $500 billion in commercial and consumer deposits. With its high per-capita income and diversified economy, the state is a banker's paradise leading the nation in everything from passbook savings to credit cards to T-bill accounts and IRAs. Such a huge reservoir of deposit funds can allow a bank in a state where the economy is depressed, such as Texas, to shore up its basic operations and broaden its loan portfolio away from oil or farming into, say, aerospace or industrial parks. Small surprise, then, that Citicorp has targeted a 20 percent share of the California market when it moves in. Citicorp is already the ninth largest lender in California through its large corporate clients and through home loans issued by Citicorp Savings — a $4.7 billion S&L built from the bank's emergency buyout of a Bay Area thrift (Fidelity Savings) in 1982.

A gradual deregulation of the nation's finance industry already allows banks and so-called "non-bank banks" like General Motors Acceptance Corporation, Merrill-Lynch, Sears Savings Bank and others to open certificate-of-deposit accounts, issue credit cards, make loans — do everything but take deposits. Former San Mateo Democratic Assemblyman Lou Papan introduced a bill last year to prevent these "non-bank banks" from offering full banking services in California . The measure passed the Legislature, but was vetoed by Governor Deukmejian. In addition, interstate banking supporters point out that four of California's top 10 banks are already owned by out- of-state banks based in Japan. Finally, deregulation advocates note that, although California has 475 banks and 220 S&Ls, 75 percent of all consumer deposits are held by four banks: Bank of America, Wells Fargo, Security Pacific and First Interstate.

Critics say the big California banks have been slow to provide competitive financial services — letters of credit, revolving credit lines, computerized audit and inventory control, payroll management — at attractive prices to small and medium-sized businesses.

Where there's not a lot of competition is in the small and medium-sized business segment and in consumer deposits," says Citicorp vice president John Maloney. "We believe that market to be underserved in the sense of having modern, competitive banking services available to it."

Making banks responsive

Allowing an aggressive player like Citibank into the market with its $186 billion in assets and sophisticated computer banking operation, they insist, will make the big California banks more responsive. "They can't have it both ways," argues Speaker Willie Brown. "They can't want free competition to charge consumers high credit card fees and then ask for protection from being gobbled up by the big out-of-state banks."

For six years California banks, under the umbrella of the California Bankers Association and led by Bank of America, held off the New York onslaught. "It always was a tug-of-war between Bank of America and Citicorp — those were the two giants fighting each other," said Los Angeles Democratic Assemblyman Charles Calderon, who sits on the Finance and Insurance Committee and was appointed by Brown to chair a subcommittee on interstate banking. "Even when the CBA was ready to enter into a compromise, B of A was a holdout and an obstruction in terms of saying this is one we ought to fight to the wall."

Smaller banks, fearing they had more to lose in becoming takeover targets for Citibank and Chase than they had to gain by branching into other states, joined in forming a unified front. Unless Congress reversed the Bank Holding Company Act to open all 50 states up at once to interstate banking, they were opposed to doing it state by state.

Since no interstate banking bill had ever gotten past the floor of either house, savings and loans in the California League of Savings Institutions (CSLI) routinely directed their efforts toward other legislative matters like adjustable mortgage loans. According to CSLI lobbyist David Milton, the S&Ls also favored full federal deregulation or none at all, "but until last year it was never a priority issue with us because the California banks took that position, it was a major issue to them and they stuffed it every year."

A June 1985 U.S. Supreme Court decision, upholding the right of Massachusetts and Connecticut to authorize interstate banking on a regional basis, changed the rules of the ballgame. California banks suddenly had precedent for limiting interstate banking. They could branch into potentially lucrative Western states, appear politically to support competition, and still keep out Citicorp and Chase.

Legislation by Van Nuys Democratic Senator Alan Robbins was amended into a purely regional bill. The New York banks responded with a measure by Calderon, allowing banks nationwide to acquire California banks with assets of $200 million or less beginning in 1987.

By the time it reached the full Assembly in August 1985, Calderon's bill was the subject of an intense lobbying blitz. In addition to individual representatives from Citicorp, Chase and Chemical, a California firm, Winner/Wagner and Associates, had been brought on board by the New York banks.

Calderon — who received $13,000 from Citicorp and $7000 from Chase as the bill moved through the pipeline — got his bill out of the Assembly. But it was the Robbins bill that made it out of the Senate. Banking interests were stalemated. Each side had the votes in one house to pass its own bill and kill the other. With pressure coming from Senate President pro Tempore David Roberti and from Kirk West, who was then Secretary of the Business, Housing and Transportation Agency, the CBA and the New York banks began looking for a compromise.

"We could see there was going to be a bill coming up every year," says CBA executive director Gus Bonta. "We felt wouldn't we be better off to sit down and compromise on when (interstate banking) was going to happen and get it off the table."

According to Mark Buchman, a senior vice president at Union Bank and current president of the association, interstate banking as an issue had become a burden to the banks, who were also concerned with product deregulation — the ability to compete with non-bank banks in new areas of financial services, such as securities.

"I think we've been rearranging the deck chairs on the *Titanic* all the time, worrying about Citicorp and B of A and Chase," he argues. "The real enemy has been GMAC, Sears, American Express, Prudential-Bache and all the non-banks who are rapidly eating our lunch." Interestingly, the provisions of the earlier Papan bill regulating "non-bank banks" eventually wound up in the final interstate banking package.

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But another CBA source close to the discussions saw a different kind of pressure building. "One reason we were interested in making a compromise is that this was turning into an annual fund-raising effort," the banker said. "We were peppered by leadership on both sides of the aisle, telling us that until we deal with the issue ourselves we should come talk to them, but come talk to them the way lobbyists talk to them."

California and New York banks cut a deal in February 1986, under which the Robbins and Calderon bills would be joined. Regional interstate banking would begin in January 1987, with a trigger date set in January 1990 to open up California nationwide.

The savings and loans, as well as smaller banks in the CBA opposed to a nationwide trigger date of any kind, suddenly found themselves on the outside looking in as the Legislature prepared to go forward with the CBA compromise.

S&Ls still recovering from defaults and declining home sales during the 1981-83 recession also face rising assessments by the Federal Savings and Loan Insurance Corporation to cover S&L failures throughout the industry. California thrifts fear a New York invasion, with the major banks offering short-term higher deposit rates and lower loan rates to grab a share of the market.

"They (California banks) can't want free competition to charge consumers high credit card fees and then ask for protection from being gobbled up by the big out-of-state banks."
— Assembly Speaker Willie Brown Jr.

"Their deposit base is going to come out of our institutions and the banks," says Milton. "There's not going to be a new reservoir of deposits under mattresses suddenly coming out to make up 8 to 10 percent of deposits in California, which is what their state goal was." As California S&Ls raise their deposit rates to compete, adjustable mortgage rates to homeowners go up. S&Ls that don't survive place a drain on the ones that do by raising the insurance assessment paid to FSLIC.

John Arnold, president of Pacific Western National Bank in Pico Rivera — in Calderon's district — is likewise worried about the impact on small-business loans. Most of his loans are small, in the $25,000-$100,000 range and to minority businesses. "Citicorp isn't going to make loans of $100,000 in the Pico Rivera area, but it will come in and compete for deposits," Arnold points out. "My concern about the interstate banking issue is what it's going to do to areas with large minority populations and businesses when large banks come in and draw out the capital."

After the CBA announced its deal, Arnold and a number of other heads of small banks stayed in the association but began to fight the compromise through the Independent Bankers Association of America, a national group with 170 California members that opposed interstate banking unless enacted nationwide by Congress. Assemblyman Tom Bane, a Van Nuys Democrat who heads the Assembly Rules Committee and had ties to the S&Ls, hooked them up with the IBAA. The two groups directed a letter-writing and lobbying campaign toward the Senate, at Roberti and state Senator Rose Ann Vuich, a Dinuba Democrat who chairs the Banking and Commerce Committee. Bane received $10,000 from the CLSI in the last session.

Vuich and Robbins, already said to be upset with private assurances to bankers by Brown and public statements by Calderon that compromise was a done deal, called a series of meetings at Sacramento's Sutter Club beginning in May to iron out a new compromise.

"The bankers thought 'Gee, we've come up with this deal,'" says Miller, "and what they forgot to take into consideration was that a lot of their own bankers in the state didn't agree with them and a lot of legislators didn't agree with them."

Calderon, however, still accuses Vuich and Robbins of trying to kill his portion of the bill for personal political reasons. "The strategy was to kill my bill and allow that other bill to survive," he insists. "They were initially carrying the water for the California banks, and once the California banks reached a compromise with the out-of-state banks they began carrying the water for the S&Ls, who came in late."

To bring the S&Ls and small banks on board, CBA and the New York institutions offered a July 1987 effective date for regional interstate banking and pushed back the national trigger date to January 1991. Roberti, who had been instrumental in bringing the S&Ls into the bargaining process, then applied pressure to close the deal.

According to CLSI sources, Roberti pulled a key S&L backer, then-Senator Paul Carpenter, a Democrat from Cypress, off the Banking and Commerce Committee. He next threatened to remove retiring San Francisco Democrat John Foran early. The signal was clear: Agree to the new trigger dates or Carpenter and Foran would be replaced with pro-bank votes that would approve the original proposal. CLSI signed off on the deal.

The final straw came last August 27th, the day before both houses were to vote on the Robbins-Calderon package. CBA secretaries distributed letters on the Senate and Assembly floors from the group's PAC, pledging campaign contributions averaging $2500 to 80 legislators and eight candidates for open seats, and notifying them that "a banker from your district will be contacting you soon to arrange for a meeting to present the check."

A disgruntled legislator passed the letter on to a reporter from the *San Diego Union*, prompting both civil and criminal complaints by California Common Cause and the Consumers Union to the attorney general's office, the Fair Political Practices Commission and the Sacramento district attorney's office, which all have jurisdiction under the 1974 Political Reform Act.

While it's a violation of the act to distribute contributions or "transmittal letters" accompanying contributions to the Capitol, sources at the FPPC say it is questionable whether letters pledging contributions are covered under the act. "They obviously knew what the law was and tried to stay on the right side," says one staffer. Sacramento District Attorney John Dougherty has since rejected the complaint.

CBA officials maintain the problem was one of timing — that the San Francisco members preparing the PAC letters and contributions were unaware of the vote and that the $230,000 was CBA's routine end-of-session gift-giving to legislative allies.

"I think on this particular issue at this particular time," said one committee staffer dryly, "if you'd put a million dollars in the middle of the rotunda with a note saying 'By the way, it's yours if you vote with us,' nobody would've voted very differently one way or another. It was a blunder on CBA's part to put the money out there at all."

Milton of CLSI suggested that while the S&Ls have traditionally been "an active industry in terms of campaign contributions," spending reached record proportions this year

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as rumors hit the street of huge financial commitments by the New York banks — as much as $700,000 for the speaker and $350,000 for Roberti, to distribute as they saw fit. "We were never able to prove it," Milton said, but the fact that we kept hearing it was enough to make us think, 'Gee, this is what we've got to fight?'."

The speaker, who reported $13,000 from Citicorp and $6500 from Chase over the 1985-86 session, has returned this year with a bill (AB4) that would permit a bank, holding company or other entity from any state to come into California before 1991 to acquire "a California bank or bank holding company," defined in the measure as one whose headquarters are maintained in the state "and has deposits of $50 billion or more" — a bill aimed squarely at allowing an out-of-state bank to bid for Bank of America.

Brown says he is concerned about some 1.7 million shares in B of A held by the California Public Employees' Retirement System and the California State Teachers' Retirement System in light of First Interstate's hostile takeover bid. His decision to push the bill came, he says, after conversations with State Treasurer Jesse Unruh, recently retired B of A chairman Leland Prussia and Texas takeover specialist T. Boone Pickens.

But the move has angered bankers, who see the Brown bill as a violation of the spirit of last year's compromise. B of A, meanwhile, has remained silent on the issue, and San Francisco Mayor Dianne Feinstein opposes the bill for fear a Citicorp takeover, like the one planned by First Interstate, would move the bank's headquarters out of San Francisco.

"I wish somebody would come out in favor of my bill other than me," Brown admits at this point. "If I was carrying legislation enabling one buyer to come in and buy up B of A, people would have my hide, and justifiably so. Now I'm carrying legislation to increase the number of buyers and everybody wants my hide."

So far, however, Citicorp is the only out-of-state bank to express interest in buying B of A assets sold off either to avoid a takeover or as the result of one. Mainly Citicorp is said to be interested in pieces of B of A's extensive branch network which will have to be shed.

What Brown has done, however, is make acquisition an all-or-nothing proposition, forcing Citicorp to bid for all of the bank against First Interstate if it wants to buy into California early. A bidding war, it is believed, would drive up the value of B of A stock, enhancing the pension fund investments as well as the sizable block of shares held by Citicorp.

Several Capitol sources suggest the Brown bill is both an effort to placate Unruh — by shoring up the state's pension fund portfolio in the wake of South Africa divestment — as well as an offer of one more option to New York banks to enter California early. "How did it come about?" asks one disgruntled California banker. "You can take your choice, whether the New York banks' lobbyists got into Willie's pants or Jesse Unruh did."

Since the bill is an emergency measure requiring a two-thirds vote of the Legislature, few observers take it seriously. But Brown says he plans to add sweeteners later — including entry conditions to benefit consumers — and that "people are coming out of the woodwork as the bill is being put together."

Ironically, John Arnold hints that the independent bankers in the IBAA, still upset over the interstate compromise, will use South Africa against the Brown bill, pointing to Citicorp's involvement there. With a new Legislature and new committee assignments, look for a new round of lobbying and contributing to move the trigger date forward or back, tie credit card interest rates to T-bill rates and limit holds on checks. The compromises are bound to be interesting.

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Will independents vote in partisan primaries?

Public wants it; courts back it

By MERVIN FIELD

In the late 1950s California made a momentous change in its long-standing election system by abolishing "cross filing" — the process existing since the early 1900s that allows candidates to run in both major party primary elections.

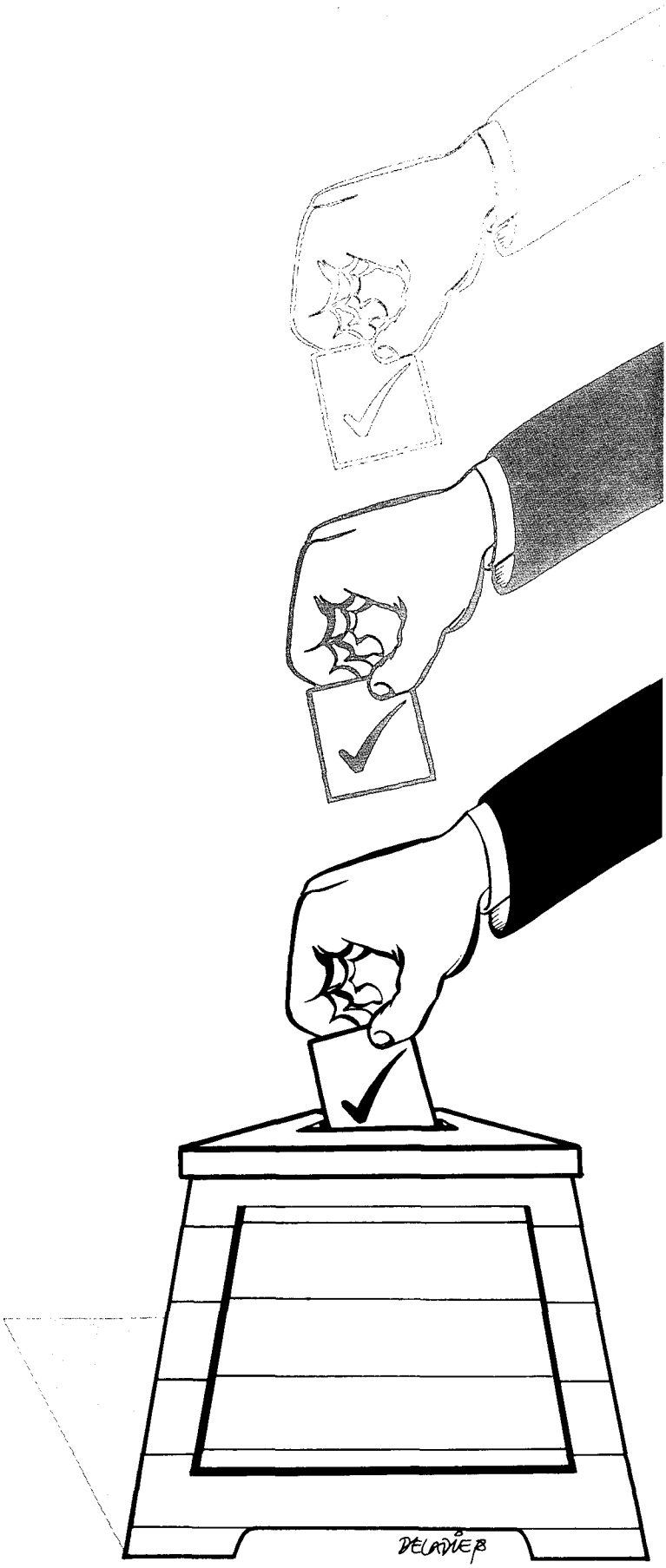
Now, two recent court decisions and a desire by California voters and some party leaders to exert greater influence in the selection of presidential nominees could dramatically alter the conduct and results of future primary elections.

Last December the U.S. Supreme Court ruled that registered "independents" could choose to vote in either the Democratic or Republican primary election. This legal precedent, established in a Connecticut case, could set the stage for a challenge to California's closed primary system which, if successful, would allow "declined to state" registrants to choose either a Democratic or Republican ballot in the state's primary elections.

Evidence developed from *California Poll* surveys over the years suggests that such an opportunity could exert strong appeal on many of this state's electorate. In addition to those voters who do not now affiliate with either major party, there are many "weak" Democrat and Republican partisans who might choose to register as "decline to state" in order to have the option of voting in the partisan primary having the most appeal to them at the time.

It is also highly probable that one or more bills seeking to alter the 1988 primary and subsequent presidential election calendars will be introduced in this year's session of California's state Legislature. The intent would be to move the traditional presidential primary election date from the first Tuesday in June to a date in March or April. Such a change would allow this state's voters to choose their presidential nominees earlier in the national election process and presumably exert greater weight in each party's final selection. Advocates of an early California presidential primary claim that, despite having the biggest bloc of delegates of any state, the traditional late primary date diminishes its clout since the competition among nominees usually is reduced or eliminated by earlier state elections and caucuses. Any change in the 1988 primary election calendar would have to be approved by the Legislature and signed into law by Governor George Deukmejian by the end of 1987 in order for it to be operative for the 1988 election.

Another 1986 court decision made a further change in primary election law. Last June a federal appeals court in Cal-



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ifornia ruled that political parties in this state have a right to endorse candidates in partisan primaries, something they couldn't do for most of this century. The practical effect of this ruling, if upheld by the U.S. Supreme Court, will be a greater role for political parties in the selection of candidates and in the campaigns of their nominees. The decision could also hinder candidates backed by such extremists as Lyndon LaRouche. Last year, for example, there were a number of LaRouche candidates running as Democrats, but by law the party could not officially endorse any of their primary opponents.

Connecticut case ramifications

In the Connecticut case the Supreme Court ruled that a state may not bar a political party from encouraging independents to vote in its primary election. The ruling struck down a state law which limited voting in its primaries to those who had registered as party members.

More than 35 states, including California, have what is called a "closed" party primary system, which limits voting in a party's primary elections to only those who are registered as members of that party. The remaining fifteen states have some form of an open primary system, which varies from allowing independents to vote in a partisan primary of their choice to one where voters choose from among candidates of all the parties, and the party's top vote-getter be comes its nominee in the general election.

The decision in the Connecticut case makes the laws here and elsewhere vulnerable to challenges designed to change the closed primary system.

State Senator Quentin Kopp, elected as an independent in the 8th District (San Francisco-San Mateo) last November, says that he plans, either through litigation or a legislative bill, to allow "decline to state" registrants to vote in the partisan primary of their choice.

Vigo (Chip) Nielsen, a preeminent political-law attorney based in California, states that it is also possible for "decline to state" voters to participate in either a Democratic or Republican primary next year without any new law or further litigation. All that is required would be for one or both parties to request that the secretary of state permit those registered as "decline to state" to vote either as a Democrat or Republican if that party's ballot is requested.

There is no law prohibiting the secretary of state from acceding to such a request. However, legal action might ensue if another party filed suit prohibiting the procedure or if the secretary of state denied the request. If either of these actions occurred, it is probable that there would be an early court resolution, given the precedent set by the U.S. Supreme Court in the Connecticut case.

Voters support

A variety of surveys conducted by *The California Poll* in recent years reveal that voters would apparently welcome changes in this state's primary election process. For example, in late 1983, 73 percent of California citizens favored "changing the primary system so that voters who decline to state a party affiliation can vote for candidates in a primary election." Large majorities of both Democrats and Republicans supported this proposed change.

For many decades about nine-of-ten California voters have registered as either a Democrat or a Republican. This long tradition of apparent consistency of partisan commitment obscures the fact that a significantly large portion of all voters consider themselves as independents, no matter how they are registered or with which political party they identify.

During 1986, in the course of four statewide representative cross-section surveys involving interviews with 3051 voters, the following question was asked: "Generally speaking, do you usually think of yourself as a Republican, Dem-

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ocrat, an independent or what?" The results reveal that almost one in five voters (19 percent) classify themselves as independent and another 4 percent say they have no preference. The actual distribution in response to this question is as follows:

1986 Party Self-Identification in California

Republican	38%
Democrat	37
Independent	19
Other party	2
No preference	4

Further, most of those classifying themselves as Democrats and half of all GOP identifiers exhibit weak loyalties to their party. During 1986, Democrats divided as 15 percent "strong" and 22 percent "not strong" partisans. Republicans divided 19 percent "strong" and 19 percent "not strong."

Additional evidence documenting California voters' loose allegiance to political parties comes from another *California Poll* measurement made in 1983 when 65 percent of the public expressed the opinion that it was "better to be a political independent than to be a firm supporter of one political party."

Weak party loyalty is also frequently manifested in election-day results where large portions of one party's registered voters cross over to vote for a candidate of the opposite party. For example, in the November 1986 general election, 37 percent of the Democrats voted for Republican George Deukmejian in the governor's race. Conversely, 24 percent of Republicans voted for Democrat Leo McCarthy in the lieutenant governor's race.

Partisan commitment fluid

The current fluidity of partisan commitment and loyalties is reflected in the changing levels of official voter registration between the two major parties, as reported by the secretary of state's office. Just ten years ago, 57 percent of the state's voters were registered as Democrats and 35 percent as Republicans — a Democratic advantage of 22 points. However, currently the state's official registration totals show Democrats at 50.8 percent versus 38.3 percent Republican — a Democratic advantage of just 12.5 percent. (*The California Poll* estimates that the "true" gap is even narrower because the state's official registration rolls contain many duplicated names and people who are either dead or no longer at the residence listed. If registration lists were fully purged, *The Poll* estimates that the Democratic advantage would range from eight to ten points.)

Apart from the decline in the proportion of Democratic registrants statewide, a growing number of voters classify themselves as Republicans when asked what party they feel closer to. In its 1986 statewide surveys, *The California Poll* found the split in self-identification to be nearly even (45 percent Republican vs. 44 percent Democratic, after independents and those with no preference are asked which party they feel closer to). By contrast, in 1976, 57 percent identified themselves as Democrats and 32 percent as Republicans. Taken together, these trends suggest that, if there were open primaries in California, there would be a decline in overall partisan registration, with the Democrats losing more voters than Republicans and more voters using a Republican than a Democratic ballot in primary elections.

In the Connecticut case, the Supreme Court made it clear that its decision affected only independent voters and that a party could not open its primary election to all voters, including members of other parties. However, if California election laws were restricted to the Connecticut decision, there would still be a considerable incentive for many California voters to change their registration from one of the major parties to "decline to state" because the latter des-

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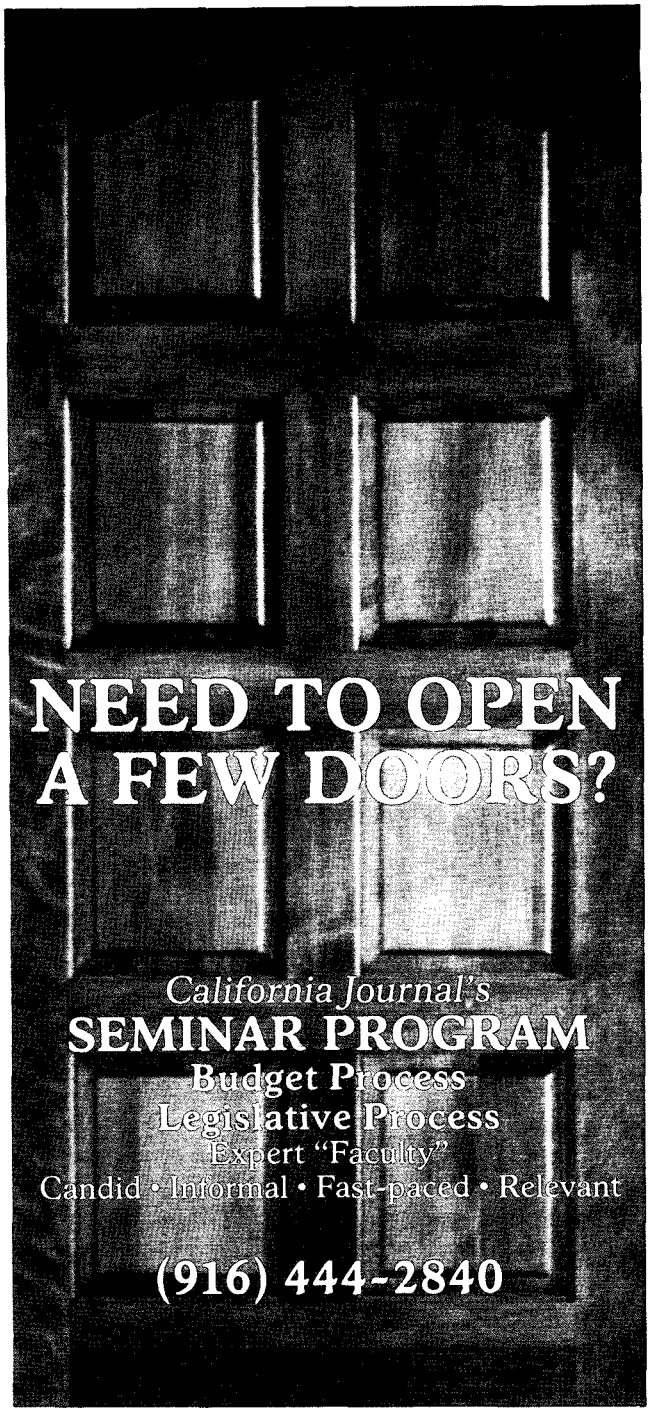

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ignation would still allow them to vote in either party's primary election.

Thus, it appears that a much larger proportion than 9 percent of existing state voters would register as "decline to state" if they had an opportunity to vote in partisan primaries.

Moving primaries

Prior to the 1984 election, there were attempts among California Democrats to move up the date for the presidential primary but Republican George Deukmejian and GOP legislative leaders were cool to the idea. However, Deukmejian, following his overwhelming reelection victory in 1986, is in a position to be a major player at next year's GOP convention and may think differently about moving up the primary election date. As the probable leader of the state's Republican delegation, he can exert considerable influence over who will be the party's presidential and vice-presidential standard bearers, as well as having a strong voice in the party's platform. There is also considerable speculation that Deukmejian might emerge as a possible GOP vice-presidential nominee himself.

An early 1988 California presidential primary with a full field of GOP hopefuls, rather than a late pro forma event in June, would provide a better opportunity for Deukmejian to exert his influence.

Another factor augurs for more support for an earlier presidential primary next year. For the first time in 20 years neither party will have an incumbent as their presidential nominee. With both the GOP and Democratic presidential and vice-presidential nominations so wide open, the field of candidates is expected to be large and both races to be unusually competitive.

In an early 1983 survey *The California Poll* found that voters, by a 54 percent to 31 percent margin, supported moving up this state's presidential primary from June to March. Democrats favored the change by 58 percent to 28 percent. Even Republicans, who were not interested in a contest for the GOP presidential nomination since President Ronald Reagan was seeking reelection, also expressed support for the primary election date change by 52 percent to 33 percent.

Another recent development providing a strong stimulus for moving up California's presidential primary next year is the prospect of next year's "Super Tuesday" — the big southern state regional primary.

On March 8, 1988, three weeks following the first-in-the-nation New Hampshire primary, voters in as many as fifteen southern and border states will select a huge bloc of presidential nominating delegates. The result of so many states selecting their delegates at one time and so early could further diminish the effects of primaries occuring late in the calendar.

At least one bill changing the primary election dates is likely to be introduced in this year's legislative session by the Democrats, according to San Francisco Attorney Jeremiah Hallisey, a long-time Democratic activist who has headed a task force reviewing the implications and ramifications of changing primary dates.

In a previously introduced bill, there were provisions to have two primary elections in a presidential election year. If approved, the presidential delegate election would have been scheduled in March or April, with the regular primary election remaining in June. This two-primary proposal had the disadvantage of increasing the expense of holding state and local elections, estimated to range from an additional $20 to $30 million. It is expected that at least one of the primary election bills to be introduced this year will call for combining some local elections in order to reduce the added election costs.

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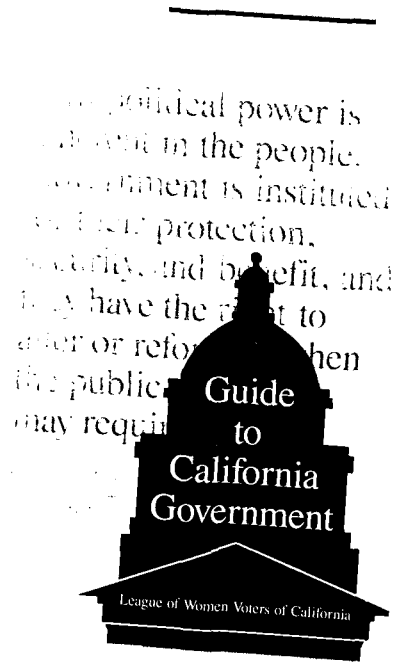

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WASHINGTON PERSPECTIVE

By LARRY LIEBERT

Coelho's ascension

Tony Coelho, the Democratic congressman from Merced, carved out a reputation as a savvy, hard-driving, brash, even ruthless political operative as head of the Democratic Congressional Campaign Committee. It was his reputation for effective nastiness that helped Coelho win the next rung up the House leadership ladder — his new job as Democratic whip. He was voted into the post in December by colleagues who appreciated his relentless efforts and, in many cases, felt beholden for contributions he had funneled into their own campaigns.

EVEN BEFORE TROUNCING TWO OPPONENTS in the Democratic caucus election for whip, Coelho was promising a new, mellow demeanor. "My role as campaign chairman was to be the tough guy," Coelho said. "I'm one of the most quoted members in the press. You're not going to see that come January. As whip, my job will be to pursue policy within the (House) system as opposed to arguing outside the system."

The months ahead will reveal whether ruthlessness is a quality embedded permanently in Coelho's character or merely a coloration that he can shed. Establishing a more statesmanlike image — less rash and manipulative in manner, more steeped in the details of policy and legislation — would not merely help Coelho in his new task as the House Democrats' top vote-counter and legislative strategist. A revamped Coelho would also be fit and ready to continue his climb toward the top job of House speaker someday.

Coelho, 44, was born in Los Banos to parents of Portuguese ancestry. He studied for the Roman Catholic priesthood but was expelled from the seminary when he began suffering seizures from epilepsy, a disease that has shaped his life and his feisty character. Church officials told Coelho he was ineligible to serve as a priest for fear he would be stricken by a seizure while performing Mass, but Coelho said the Catholic hierarchy still clings to the medieval superstition that epileptics are possessed by the devil.

The young Coelho went through a period of depression and attempted self-destruction, only to find his life's purpose in politics. He became an aide to the Central Valley's Representative B.F. Sisk, then succeeded him in 1978.

Coelho built his political base by carefully ministering to the wishes of Central Valley agri-business, protecting water rights and cotton subsidies and spending long hours lobbying to exempt wine tycoons Ernest and Julio Gallo from inheritance taxes.

When he became head of the House Democrats' campaign committee, he brought new vigor to the organization — and muscled contributions from big business special interests so unashamedly that party liberals were left cringing. Coelho brought the party's campaign machinery up to date and vastly increased its fund-raising totals many times over, although Democrats still lag far behind the well-heeled Republicans.

In the process Coelho collected many IOUs from Democratic candidates but also gained a less than saintly reputation. Upon the congressman's ascension to whip, the *Washington Post* editorialized, for example, that Coelho "is known mainly as a fund-raiser and wheeler-dealer (activities not always unrelated). It was he, for example, who shamelessly fronted for the dairy industry on the farm bill last year."

Coelho's sharp tongue also became well-known as he served as his party's hatchet man in attacking President Reagan and the Republicans. At least once, Coelho got carried away with his zeal as a political hatchet man. In 1984, the only triumph during Democrat Walter Mondale's disastrous presidential campaign was the debate in which he clearly bested a confused and stammering Reagan.

The next morning, Coelho was dispatched to wander the aisles on Mondale's campaign plane, giving the reporters on board juicy comments about how very old Reagan looked. But Coelho became so caught up in the nasty tone of things that he also directed a stray zinger at his own party's vice-presidential nominee.

Asked what Geraldine Ferraro had to accomplish in her upcoming debate with Vice President George Bush, Coelho quipped that she needed to avoid looking "bitchy." When Bush's press secretary was later attacked for making the same remark, Coelho denied saying what half a planeload of reporters heard him say. Despite that memorable lapse, a top adviser insists that Coelho is not ruthless by nature, just "ruthlessly partisan."

Coelho agrees with the suggestion that his task now resembles that achieved in recent years by Senate Republican Leader Robert Dole. In 1972 Dole served up vicious one-liners as running mate on Gerald Ford's losing presidential ticket. Since then Dole has transformed his reputation from that of a surly smart-aleck to that of a thoughtful, warmly witty statesman.

COELHO DECLINES TO SAY WHAT he hopes to accomplish over the long run. He will not rule out the possibility of running against Republican Senator Pete Wilson in 1988, insisting he has the centrist appeal and proven fund-raising ability to make such a race.

But friends say Coelho privately longs for the job of House speaker and thinks he might get it sooner rather than later. New House Speaker Jim Wright of Texas is 64 years old. His second-in-command, Majority Leader Thomas S. Foley of Washington state, is 57, and Coelho's supporters claim that Foley has confided to friends that he does not aspire to the speakership. Which would leave the ever-mellower Tony Coelho as the next in line.

(Larry Liebert, whose column will appear every month in the California Journal, *is Washington Bureau Chief for the* San Francisco Chronicle.*)*

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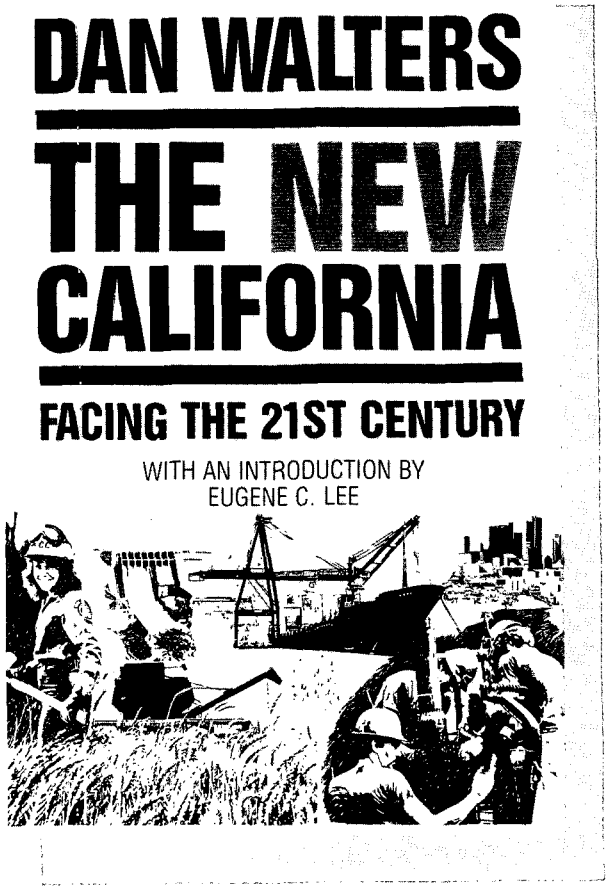

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with an introduction by Eugene C. Lee

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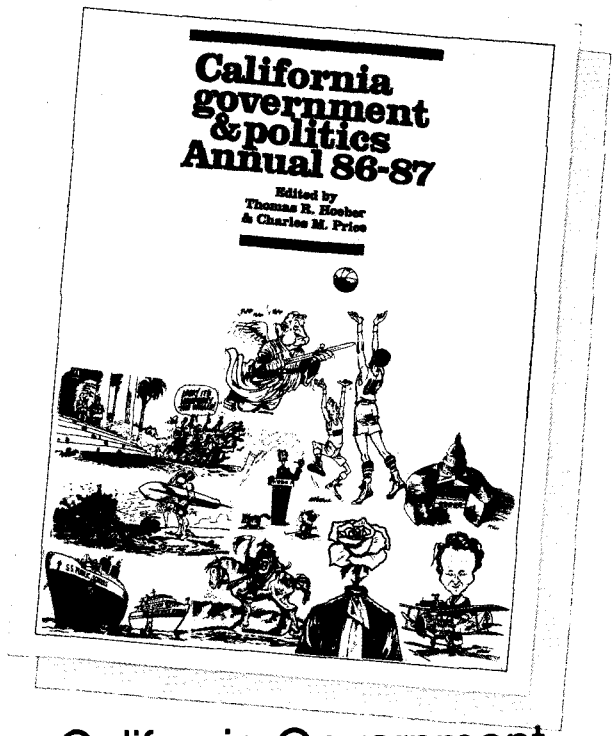

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